VOL. XL., No. 34.

The Solicitors' Journal and Reporter.

LONDON, JUNE 20, 1896

*** The Editor cannot undertake to return rejected contributions, and copies should be kept of all articles sent by writers who are not on the regular staff of the JOURNAL.

Contents.

Cases Reported this Week.

In the Solicitors' Journal.

In the Weekly Reporter.

CURRENT TOPICS.

THE JUDICIAL TRUSTEES Bill came on for consideration in the House of Commons on Wednesday last, but Sir H. FOWLER pleaded for time to arrange modifications, and the consideration of the Bill was deferred. It will be observed that Mr. A. F. WARR, M.P., at the dinner of the Solicitors' Benevolent Association, remarked that if the Bill should be passed "he should like to crave for it a very warm welcome, because he believed it would prove a very valuable friend to lawyers, and that it would very seldom be a nuisance at all." Our own view is that this may possibly prove to be the case; but it is to be remembered, as we pointed out two or three weeks ago, that all but the bare outline of the scheme is to be provided for by rules, which ought to be added as a schedule to the Bill.

WE UNDERSTAND that the contention of the Inland Revenue Commissioners that foreclosure orders must be stamped with *ad valorem* duty as conveyances on sale, to which we referred *ante*, p. 507, has led to a curious state of affairs in the offices of the Chancery Division. Under the existing practice, introduced a couple of years ago, with respect to the keeping of Chancery records, the original order is filed in the office and a duplicate given out to the solicitor having the carriage of the order. For the purpose, however, of impressing the stamp the Somerset House authorities hold that the duplicate is useless, and they require the original order to be presented to them. But in the case which has come under our notice the registrar has refused to let the original leave the office for any such purpose. There accordingly for the present the matter rests. Possibly this result of their contention will lead the authorities to reconsider their position. Even if *Huntington* v. *Commissioners of Inland Revenue* (44 W. R. 300) were a much safer decision, it would be a strong measure to make it the basis of levying stamp duty on foreclosure orders, a class of instruments which by common consent have hitherto been exempt. But, having regard to the character of that decision, the proposed change in practice is quite unjustifiable.

THERE WAS some excellent speaking at the dinner of the Solicitors' Benevolent Association this week, but perhaps the

most notable observations were those relative to the Houses of Parliament. Mr. HOLLAMS' remarks as to the importance of the business transacted by the committees on private Bills, and the care, patience, and courtesy with which these duties are discharged, will be indorsed by most practitioners of experience. It is, we believe, no great exaggeration to say that these committees sometimes deal in one week with more important matters, from a pecuniary point of view, than all the courts in the country deal with in a whole year. There is, however, little general public interest in the work transacted so efficiently by these committees, and no special distinction can be gained by the persons sitting upon them, yet there is no difficulty in getting members of Parliament to sacrifice a large number of days to attending in crowded and ill-ventilated rooms to transact this business. We remember to have heard a member of Parliament, in an address during the recent election, remark: "I dare say you don't very often see my name in the debates, but I may tell you that during the greater part of each Session I give up my time to sitting on committees; and there are people who think that the unobtrusive work of committees is not the least useful function of a member of Parliament." According to Lord JAMES, however, the new democracy has little sympathy with this kind of representative. He said that "a few days ago a member of Parliament received from his agent a letter which told him that he had only spoken once; and his agent went on to say: 'I tell you that if you do not make yourself conspicuous within the next two or three weeks, you will never sit for your constituency again. Either be offensive or useful. If you are not one or the other, you will never have the confidence of your constituents.' That might seem," said Lord JAMES, "to be an idle tale, but it represented the truth. It was the requirement of the constituencies that every one of their representatives should be an active member of the House [meaning thereby a frequent speaker]." This may explain a good deal of the *cacoethes loquendi* which at present obstructs the progress of business in Parliament. We note with satisfaction Mr. BUDD's statement at the recent dinner that the Incorporated Law Society will have a balance to its credit at the end of the present year. But where did he get the information for his statement that the average income of solicitors is "something like £200 a year"?

A CURIOUS anomaly has just been brought to light with regard to the liabilities of a receiver and manager appointed on behalf of debenture-holders. On taking possession of the company's premises he becomes a new occupier as regards poor rate, but not as regards gas rate. He need only pay poor rate from the time of taking possession, but his gas will be cut off unless he pays up all arrears of gas rate or meter rent. The point as to poor rate was decided by NORTH, J., on the 21st of April, in *Richards* v. *Kidderminster Overseers* (44 W. R. 505), under the Poor Rate Assessment and Collection Act, 1869 (32 & 33 Vict. c. 41), s. 16, in favour of the receiver. In spite of a provision in the covering deed that "the receiver shall be deemed to be the agent of the mortgagor, and shall as such agent for all purposes be deemed to be in exactly the same position as a receiver duly appointed by the mortgagee under the Conveyancing Act, 1881," NORTH, J., held he was in possession on behalf of the trustee for the debenture-holders, and that there had been a change of occupation. In *Paterson* v. *Gas Light and Coke Co.* (*ante*, p. 388) KEKEWICH, J., on the 18th of March, held that receivers and managers appointed by the court on behalf of debenture-holders became "new occupiers" when they took possession, and were entitled to a supply of gas without payment of arrears. But on the 9th of June the Court of Appeal reversed this decision, following *Re Smith* (41 W. R. 159; 1893, 1 Q. B. 323), where VAUGHAN WILLIAMS, J., decided that an official receiver in bankruptcy was not entitled to a supply of gas without paying the arrears, such receiver merely coming in as successor to the debtor and occupying in his name and on his behalf. It is true that the gas cases arose under the Gasworks Clauses Act, 1871 (34 & 35 Vict. c. 41), ss. 11 and 39, and special Acts. But the point in all the cases really turned on what was the actual nature of the receiver's occupation. The Court of Appeal seem to treat it as perfectly obvious that a receiver appointed under the powers of a covering deed is not a new occupier, and go on to decide that a receiver appointed by the court on behalf of the debenture-holders is in no better position. *Primâ facie* one would have thought that the official receiver of a bankrupt represented the bankrupt as in *Re Smith*, but that the receiver and manager of debenture-holders represented those debenture-holders or mortgagees, and not the mortgagor company. Both NORTH and KEKEWICH, JJ., support this view. The question is whether the Court of Appeal, in overruling KEKEWICH, J., have not impliedly overruled the decision of NORTH, J., in *Richards* v. *Kidderminster Overseers*, which was apparently not cited to them, or whether the anomaly is statutory, and not judicial at all. If the latter supposition be true, it certainly seems curious that, with our present franchise, gas *rent* should be so very much better secured than poor *rate*.

WE PRINT elsewhere a correspondence which has taken place between Messrs. SPYER & SONS and the Board of Trade with reference to an incident which occurred on the public examination of a debtor before a county court. After the conclusion of the examination of the debtor by the official receiver, the solicitor for the petitioning creditor commenced to examine the debtor, but had not proceeded far when the official receiver intervened, and, on the ground that the examination was only upon matters on which he had already examined the debtor, announced that he should decline, on the ground of expense, to allow the shorthand writer to continue to take down the examination. The Board of Trade, he said, were constantly complaining of the cost of the shorthand notes. After some discussion, the official receiver instructed the shorthand writer to continue taking the notes, reserving to himself the right to eliminate from them any portion which he thought was a repetition; or, according to the version of the official receiver, reserving the question of transcription for further consideration. It is stated that valuable information was elicited by the subsequent examination of the debtor. On the matter being laid before the Board of Trade a very singular reply was received. In the opinion of the Board it is the "duty" of the official receivers "to see that the expense of shorthand notes is kept within reasonable limits, especially where there are no assets," and when any question appears to them to be irrelevant or unnecessary, it is their "duty" to bring the point to the notice of the court for its direction, under rule 67 of the Bankruptcy Rules, 1886 and 1890. That rule enables the court to appoint a shorthand writer at a fee not exceeding one guinea a day, and for a transcript 8d. per folio of 90 words, and provides that "such sums"—that is, the *whole* cost of such note and transcript—"shall be paid by the party at whose instance the appointment was made, or out of the estate, as may be directed by the court." There is no power to the court to apportion the costs, and impose one part on the person at whose instance the appointment was made, and the other part on the estate; and there is obviously no power to impose costs otherwise than on such person or estate. But the Board of Trade actually "suggests" that where the solicitor for a petitioning creditor "*desires to examine a debtor*," and the official receiver declines to be personally responsible for the cost of the notes, the solicitor should either undertake to pay the cost of the notes or should obtain an order that they should be charged against the estate. To the ordinary reader the plain intention of the rule is that the official receiver, at whose instance a shorthand writer has been appointed, shall, whether he or the Board of Trade like it or not, be responsible for the costs of the notes and transcript, unless he obtains an order that they should be charged against the estate. We hope that this attempt of the Board to impose a fetter on examination of the debtor on behalf of the petitioning creditor will be resisted. It is in strange contrast to the proclamation of the benefits to public morality arising from the public examination of the debtor which was made when the last Bankruptcy Act was passed.

IT IS a popular legal superstition that every dog has his bite, and the older authorities lend it substantial support. In *Judge*

v. *Cox* (1 Starkie 285) the allegation against the defendant was that he knew his dog to be accustomed to bite mankind, and ABBOTT, J., directed the jury that to warrant a verdict for the plaintiff they must be satisfied that the dog had before the time of the injury complained of bitten some human being, and that the defendant knew it. So in *Beck* v. *Dyson* (4 Camp. 198) proof that the dog was of a fierce and savage nature was held by Lord ELLENBOROUGH to be insufficient. But the notion was overruled in *Worth* v. *Gilling* (L. R. 2 C. P. 1), and it was held to be enough to shew that the dog was of a fierce nature and had evinced an inclination to bite. Though, however, the legal necessity for the actual bite has thus been removed from our jurisprudence, proof of such an occurrence is still the readiest means of making out a case against the owner of the dog when the savage propensity is again indulged. But for this purpose must the bite be at the expense of a human being, or will some meaner animal serve as a victim? In the interest of humanity (other than dog-keeping humanity) it were to be wished that the latter view could prevail. It was actually taken by a humane county court judge in *Osborne* v. *Chocqueel*, where the dog had formerly whetted his appetite upon a goat. But the Divisional Court (*ante*, p. 532) have placed the strict logic of the law above any such merciful leanings, and have refused to see in the dog's attack upon the goat, even though that attack ended fatally for the latter, any evidence of the dog's disposition towards mankind. In *Mason* v. *Keeling* (12 Mod., p. 335) there is to be found a curious remark by GOULD, J., that "if a dog be *assuetus* to bite cows, and the master know it, that will not be sufficient knowledge to make him liable for his biting sheep"; from which it might be inferred that the entire race of men and domestic animals will not be safe against any particular dog until he has "sampled" an individual of each species. We must except sheep, however, for in favour of them the law has interposed, and 28 & 29 Vict. c. 60 is their Magna Charta. Apart from authority it must be conceded that the decision in *Osborne* v. *Chocqueel* is correct. That a dog chases a sheep or a goat is no criterion of its disposition towards men. But Lord RUSSELL very naturally raises the question whether the law of *scienter* as applied to dogs is justifiable, and in his view it is not. It would be much more intelligible, he says, if a man were to be responsible for whatever damage his dog did. It is difficult to see how there can be two opinions on this point. If anyone has to pay for a dog's misdoings, so far as possible it should be the owner. The keeping of the dog is a mere luxury to him, and it is not for other people to suffer the consequences. Some day possibly the Legislature will have time to extend to human-kind the protection which sheep have enjoyed for the last thirty years.

THE DECISION of the Divisional Court (POLLOCK, B., and BRUCE, J.) in *Smelting Co. of Australia (Limited)* v. *Commissioners of Inland Revenue* (*ante*, p. 546) seems to place an unduly narrow construction upon the exemption in section 59 (1) of the Stamp Act, 1891, in favour of property situate out of the United Kingdom. The section imposes the *ad valorem* sale duty on the agreement for sale of property, instead of on the conveyance of the property, but it excepts, *inter alia*, "lands, tenements, hereditaments, or heritages, or property locally situate out of the United Kingdom." In the present case there had been an agreement for the sale of an estate in Illawarra, New South Wales, to the appellant company, who were going to use the estate for the purpose of their business. The rights and properties sold included the benefit of a sole licence, which had been granted to the vendors, to use in the Illawarra district an invention protected by a certain patent, and the agreement was stamped, in accordance with the law of New South Wales, with stamp duty on the share of the consideration attributable to the licence. Upon the document, however, being presented for adjudication in this country the authorities contended that in respect of this property stamp duty must be paid over again according to the English law, and the Divisional Court have upheld them in this contention. Possibly there may be some difficulty in saying where property such as a licence for the use of a patent is situated, but it does not require much consideration to shew that the reasonable view is that it is situate where the licence is to be enjoyed. POLLOCK, B., seems to have thought that the word "property" in the passage quoted above was in some way to be construed with reference to the words "lands, tenements, hereditaments, or heritages," which precede it. The exception, he said, applies to hereditaments outside the kingdom, but not to property which has no situation. But it is clear that these words have nothing to do with the matter, and the sole question is as to the effect of the exemption in favour of "property locally situate out of the United Kingdom." The view that the licence cannot receive the benefit of the exemption because it is not "situate" anywhere seems to be manifestly wrong. The section contemplates that all property has a local situation, and when that situation is abroad the exemption takes effect. The problem which the court had to face was where the licence was in fact situate, and this, apparently, they failed to deal with. As we have said, the common-sense view is that the licence, which was to be used in New South Wales, was property situate in New South Wales, and so was entitled to the exemption.

IN A CASE heard last week at a metropolitan police court an organ-grinder was charged with refusing to depart from the neighbourhood of a house when requested, and was fined for the offence. Charges of this sort have been very frequent lately, and seldom a week passes without one or two convictions being reported. *Primâ facie* everyone is entitled to play a musical instrument in the open air if he pleases; but if he does so in such a manner as to interfere with the comfort of his neighbours, he is guilty of a nuisance. The remedy supplied by the common law for a nuisance is, however, far too clumsy to be of any practical use against the street musician, and without statutory protection we should be left to the mercy of these gentlemen, who so often use their powers of producing noise in order to compel their victims to purchase quietness. The country at large can protect itself against this nuisance only by means of bye-laws, but London is protected by the Street Music (Metropolis) Act, 1864. This statute provides that any householder "may require any street musician or street singer to depart from the neighbourhood of the house of such householder, on account of the illness or on account of the interruption of the ordinary occupations or pursuits of any inmate of such house, or for other reasonable or sufficient cause"; and any person who continues to play or sing "after being so required to depart" is made liable to a penalty not exceeding forty shillings, or else to imprisonment for not exceeding three days. It must be noticed that the musician cannot be required to depart unless for good cause; that is, unless he is committing a nuisance. There can be little doubt that the magistrate who hears a charge is the sole judge as to whether or not the cause is "reasonable and sufficient." A point has, however, been raised on the construction of the statute, which is certainly open to doubt—Is the person who requires a musician to depart bound to state to the musician his reason for wishing him to go away? Some of the metropolitan magistrates have refused to convict any musician under the Act unless such reason were given him when he was ordered off. It is submitted that these magistrates are right. The Act only empowers a householder to require the musician to depart on account of certain things, and provides that he may be punished on refusing to depart "after being *so* required." May it not fairly be argued that the word "so" points to a certain manner in which he must be required to depart. If so, that manner can only be "on account of illness," &c., and therefore the cause for requiring him to depart should be given to the musician by the householder. But, further, the organ-grinder is not breaking the law unless he is committing a nuisance. He cannot say whether or not he is committing a nuisance until he is told in what respect his music is offensive, and it seems only reasonable to give him such information.

IN PROVINCIAL towns bye-laws against this nuisance may be made under section 23 of the Municipal Corporations Act, 1882, and there can be no doubt that when framed on the model of the metropolitan Act such bye-laws are

valid. Many corporations, however, have made attempts to go far beyond the terms of this Act, but have generally failed to support such a bye-law when its validity has come to be decided by the High Court. Thus the town of Ryde forbade any musician to play in the streets without previously having obtained a licence so to do from the mayor (*Munro* v. *Watson*, 57 L. T. 366); Croydon forbade musicians to play at all on Sundays (*Johnson* v. *Mayor of Croydon*, 16 Q. B. D. 708); but both these bye-laws were held to be invalid as being unreasonable on the grounds discussed lately in this journal (*ante*, p. 454). When, however, the bye-law is in effect the same as the metropolitan Act, and only makes the musician liable to a penalty when he is guilty of a nuisance, such bye-law is reasonable and valid (*Reg.* v. *Powell*, 51 L. T. 92). County councils might also make bye-laws for country districts to the same effect, under section 16 of the Local Government Act, 1888. A curious point was decided on the metropolitan Act in the case of *Reg.* v. *Hopkins* (1893, 1 Q. B. 621). In this case a street musician was convicted and ordered to pay a fine of forty shillings, and in default of payment the magistrate ordered him to be imprisoned for a month. Under the Act, if the defendant had been sentenced to imprisonment in the first instance instead of in default of payment of the fine, he could not have been sentenced to more than three days. The Act is, however, merely an amendment of section 57 of the Metropolitan Police Act, 1839, under which a fine only and not imprisonment could have been inflicted for this offence; but section 77 of the latter Act provides that in case of default in payment of any fine not exceeding five pounds imprisonment may be awarded up to one month. The court decided that the magistrate was right, and that, although he could not have inflicted more than three days' imprisonment without the option of a fine, he was justified in sending the defendant to prison for a month in default of payment of the fine.

NEGLIGENCE IN GETTING IN TITLE DEEDS.

Ordinarily a purchaser of land free from incumbrances or a first mortgagee protects himself by getting a conveyance of the legal estate, and by procuring at the same time delivery of the title deeds. If he fails to obtain the deeds, the probability is that they have been deposited by way of equitable security, and then the question arises whether the legal estate will be sufficient to give the purchaser or mortgagee priority over the equitable incumbrancer. It is obvious that by neglecting to inquire for the deeds the legal owner, if he is to be allowed to set up his legal title, does a wrong to the equitable incumbrancer. The inquiry would probably result in the discovery of the incumbrance, and, as notice of its existence would deprive the legal title of its efficiency, the purchaser or mortgagee would decline to go on with the transaction and both parties would be safe. And, short of actual omission to inquire for the title deeds, there may be negligence on the part of the intending purchaser or mortgagee such as to prevent him from receiving notice of an incumbrance which by the use of proper precautions he could not fail to discover. A similar question may arise where the legal mortgagee, after having had the title deeds in his possession, gives them up again to his mortgagor, and so enables the latter to create an equitable incumbrance. But in such a case there may be more than mere negligence on the part of the legal mortgagee. He may be acting in collusion with the mortgagor to enable the latter to raise further money on the property. His conduct, if at the same time he suppresses his own mortgage, is then fraudulent, and there is no doubt that on this ground he will be postponed to the equitable incumbrancer, notwithstanding his possession of the legal estate. Possibly, too, there may be fraud where the estate of a purchaser or mortgagee is subsequent in point of time to the equitable incumbrance. But even when there is no actual fraud, and the owner of the legal estate has been no more than negligent, his conduct does a serious injury to the equitable incumbrancer by deposit, and there has been a strong tendency in the courts, at any rate where the negligence can be characterized as gross, to punish the person in fault by depriving him of the protection of the legal estate, and if his title is prior in point of time to that of the equitable incumbrancer, by allowing preference to the latter.

The doctrine that the court can interfere in this manner on the ground either of fraud or of gross negligence seems to be countenanced by the recent judgment of Chitty, J., in *Brown* v. *Stedman* (44 W. R. 458). In 1884 Mrs. Stedman by deed demised certain premises to Read for a term of twenty-one years. In March, 1894, Read deposited the deed with the plaintiffs as security for a debt due from him to them. Later in the same year the plaintiffs commenced an action to enforce their security, but the action was not registered as a *lis pendens*. During the pendency of the action Read entered into negotiations for the sale of the lease to Friend, and ultimately the lease was surrendered by Read to Mrs. Stedman, and a new lease was granted by her to Friend. Neither Mrs. Stedman nor Friend had actual notice of the plaintiffs' security. At the time of the surrender the managing clerk of Mrs. Stedman's solicitors inquired for the lease, and was informed by Read that it could not be got as a friend of his had it, but that it had not been charged or dealt with in any way. Read's manner in making this statement appears to have been unsatisfactory, but the clerk did not prosecute the inquiry further, and the surrender was accepted without production of the lease.

Under these circumstances the equitable incumbrancers claimed that there had been gross negligence for which Mrs. Stedman and the new lessee were responsible, and that the legal estate of the latter ought to be postponed. Chitty, J., admitted that, upon the authorities, the legal owner might be postponed either on the ground of fraud or of gross or wilful carelessness, but he observed that the court would not impute fraud or gross or wilful negligence to the holder of the legal estate, if he had *bonâ fide* inquired for the deeds and a reasonable excuse had been given for not delivering them. Upon this statement of the law it might have been supposed that the court would have had no great difficulty in imputing gross negligence in the present case. It is not common for the owners of property to lend their title deeds to friends so that the deeds cannot be produced when required for purposes of business, and, judging from the facts as stated in the report, the excuse assigned for non-delivery of the lease seems to have been anything but a reasonable one. Chitty, J., however, held that there had been no conduct which, upon the authorities, he was entitled to characterize as gross negligence, and he refused to interfere with the legal estate.

But although the result seems to be open to criticism, if it is true that either fraud or gross negligence is a ground for postponing the legal estate, it is clearly in accordance with another, and apparently more correct, doctrine that the court interferes only on the ground of fraud, and that in speaking of gross negligence the court has intended by this term to denote conduct which comes so near to fraud as to be fairly classified therewith. In other words, the gross negligence which will postpone the legal estate must be such as to amount to evidence of fraud. Undoubtedly there are authorities which favour the doctrine as stated by Chitty, J. In *Hewitt* v. *Loosemore* (9 Hare, p. 458) Turner, V.C., said that a legal mortgagee was not to be postponed to a prior equitable one upon the ground of his not having got in the title deeds, unless there was fraud or gross and wilful negligence on his part. In *Collyer* v. *Finch* (5 H. L. C. 928) Lord Cranworth, C., said that in order to deprive the first mortgagee of his legal priority the party claiming by title subsequent must satisfy the court that the first mortgagee has been guilty either of fraud or gross negligence, but for which he would have had the deeds in his possession. And so again in *Perry Herrick* v. *Attwood* (2 D. G. & J., p. 37) the same authority laid down the law as follows: "I consider it to have been established beyond doubt that the law is that the person having the legal estate without the title deeds is not to be postponed to a subsequent incumbrancer having the title deeds, unless he has been guilty of something which the law calls fraud or gross negligence." On the other hand, there is the early statement of the rule by Lord Eldon, C., in *Evans* v. *Bicknell* (6 Ves. 173) according to which the mere circumstance of parting with the title deeds is not of itself a sufficient ground to postpone the first mortgagee, "unless there is fraud, concealment, or some such purpose, . . . or gross negligence that amounts to evidence of a fraudulent intention"; and Lord Cranworth, in his judgment in *Collyer* v. *Finch*, to which we have just referred, speaks of "gross negligence, so gross as to be tantamount to fraud."

For the present, however, the matter rests upon the review of the authorities contained in the judgment of the Court of Appeal delivered by FRY, L.J., in *Northern Counties Fire Insurance Co.* v. *Whipp* (32 W. R. 629, 26 Ch. D. 482). After pointing out that Lord CRANWORTH did not really intend to lay down any new principle in *Collyer* v. *Finch*, FRY, L.J., summed up the law as follows: The court will postpone the prior legal estate to a subsequent equitable estate (*a*) where the owner of the legal estate has assisted in or connived at the fraud which has led to the creation of a subsequent equitable estate, and of this assistance or connivance the omission to use ordinary care in inquiry after or keeping title deeds may be sufficient evidence, where such conduct cannot be otherwise explained; and (*b*) where the owner of the legal estate has constituted the mortgagor his agent with authority to raise money. But the court will not postpone the prior legal estate to the subsequent equitable estate on the ground of any mere carelessness or want of prudence on the part of the legal owner. The same principle applies where the equitable estate is prior in point of time to the legal estate.

The result is that what the court acts upon is fraud and nothing less, and although the matter has been much confused by bringing in gross negligence—apparently as a distinct ground for interference—yet the negligence is only relevant as evidence of fraud, and when the owner of the legal estate can rid himself of all imputation of an actually fraudulent intention it follows that he is safe, however negligent he may have been, and however serious be the loss which his negligence inflicts on the equitable incumbrancer. In *Whipp* v. *Northern Counties Fire Insurance Co.* an attempt was made to establish a duty on the part of the owner of the legal estate to holders of the title deeds, so that for negligence in the observance of this duty he would be liable; but the attempt failed. The Court of Appeal held that no duty was imposed on the owner of the legal estate to keep his title deeds in safe custody, and negligence in such custody was not the ground of a legal liability. This state of the law can hardly be regarded as satisfactory. The possession of the title deeds is properly deemed to be a matter of the utmost importance in dealing with land; but the tendency of the decisions is to neglect the title deeds, and to exalt the legal estate, thereby it would seem placing form before substance. No one is bound to deal with an owner of land who cannot produce his deeds, and it is not apparent why anyone who chooses to do so should not be left to bear the risk.

EVIDENCE IN CASES OF OFFENCES AGAINST WOMEN.

THE decision of the Court for the Consideration of Crown Cases Reserved in *Reg.* v. *Lillyman* (reported in another column) is of very great importance, for it deals with a question of evidence which arises almost daily in our criminal courts. The question was whether in cases of rape and indecent assault and kindred offences against women evidence may be given that the prosecutrix made a complaint of the wrong done to her as soon after the event as circumstances permitted; and, if so, whether the person to whom the complaint was made may, in examination in chief, not only depose to the fact that a complaint was made by the prosecutrix, but may state the particulars of the complaint—repeat, in fact, the words used by the prosecutrix in making it.

No one who has experience of criminal practice can fail to be aware that the views of different judges upon this point have shown considerable variance. The usage laid down by the text-books, and followed as a general rule by the courts, has been to admit evidence on behalf of the prosecutrix that a complaint was made and that some person was named in the complaint, but to exclude all particulars of the complaint. The reason for allowing evidence of the fact of the complaint is to give the jury an opportunity of considering the conduct of the woman alleged to have been outraged with a view to testing her character and credibility. The essence of the offence in the majority of these cases (although this must be taken subject to the provisions of the Criminal Law Amendment Act, 1885) lies in the fact that the act was done against the will of the woman. The woman, of course, gives evidence as to the commission of the offence by the prisoner, and as to the absence of consent on her part. The fact that she made a complaint has, from an early period in the history of our law, been held to be material evidence as negativing her consent, and has for that reason been admitted. But the exclusion of the particulars of the complaint certainly seems to reduce the value of this evidence to a minimum. The jury is left to guess whether the statement made was in fact a complaint at all, and whether it in fact related to the acts of the prisoner which form the subject of the charge. It is not surprising, therefore, that some judges of great authority have permitted the person to whom the complaint was made to state, as far as possible, the actual words used by the prosecutrix in making it.

This practice has now received the sanction of the highest tribunal in criminal matters, and will in future be universally followed. It must, however, be remembered that the particulars of the complaint are to be received only "for the purpose of enabling the jury to judge for themselves whether the conduct of the prosecutrix was consistent with her testimony on oath given in the witness box negativing her consent, and affirming that the acts complained of were against her will, and in accordance with the conduct they would expect in a truthful woman under the circumstances detailed by her." The danger is that the particulars may be regarded by the jury as evidence of the facts referred to in them; they are not, of course, such evidence, and a careful judge will, no doubt, impress this fact upon the jury; and the danger referred to will be further minimized if the rule adverted to in the very exhaustive judgment of HAWKINS, J., be strictly adhered to—that evidence of the complaint should not be permitted to be given until after direct evidence of the acts charged against the prisoner has been given by the prosecutrix or by some other witness.

Thus safeguarded, the practice sanctioned by *Reg.* v. *Lillyman* is in accordance with good sense, and the decision satisfactorily settles a point which has been involved in uncertainty for a period which seems surprisingly long considering the unfortunate frequency with which these cases come before our assize courts and quarter sessions.

REVIEWS.

BOOKS RECEIVED.

Hints as to Advising on Title, and Practical Suggestions for Perusing and Analysing Abstracts, with an Outline of the Law relating to Title to Land and Tables of Stamp Duties since 1815. By WILLIAM HENRY GOVER, LL.B., Barrister-at-Law. Third Edition. Sweet & Maxwell (Limited).

The District Councillors' Handbook, being a Summary of their Powers and Duties in matters other than the Administration of the Poor Law. By J. C. SWINBURNE-HANHAM, Barrister-at-Law. Shaw & Sons.

The Parish Councillor's Manual, being an Explanation of the Powers and Duties of Parish Councils. By T. R. COLQUHOUN DILL, Barrister-at-Law. Shaw & Sons; Butterworth & Co.

The judges (Cave and Kennedy, JJ.) have fixed the following commission days for the summer assizes on the Northern Circuit, viz.:—Appleby, Monday, June 29; Carlisle, Wednesday, July 1; Lancaster, Monday, July 6; Manchester, Thursday, July 9; Liverpool, Saturday, July 25.

During the progress of business in Queen's Bench Court VIII. on the 12th inst., says the *St. James's Gazette*, Mr. Justice Cave, who was sitting with Mr. Justice Wills as a Divisional Court, directed the usher to fetch the engineer of the building. On that official's arrival the learned judge complained of the heat of the court, pointing out that the thermometer stood at sixty-eight. He further said that if the machinery for keeping the courts cool was worth anything, the temperature ought not to be more than sixty. Something would have to be done, as he and his learned brother were being slowly stewed. Mr. Murphy, Q.C., said the condition of affairs was precisely the same in the body of the court as it was on the bench. Mr. Bucknill, Q.C., said if he were the engineer he should attribute the whole thing to the inherent vice of the building. Mr. Justice Cave said the chief engineer would have to do something, or else he should lodge a complaint as to the inadequate way in which the courts were ventilated. The engineer said he would repeat what his lordship had said to the chief engineer, and withdrew.

CORRESPONDENCE.

SHORTHAND WRITERS' NOTES ON EXAMINATIONS IN BANKRUPTCY.

[*To the Editor of the Solicitors' Journal.*]

Sir,—Now that so much is heard of the result of officialism, and thinking it may be of some public interest, we send herewith copy of a correspondence which has recently taken place between ourselves and the Board of Trade in regard to an incident which took place at the Hastings County Court. SPYER & SONS.

53, New Broad-street, London, June 15.

The following is the correspondence referred to:—

Dear Sir, May 13th, 1896.

Re S. Pearl.
No. 13 of 1896.
(Hastings County Court.)

A member of our firm, as representing the petitioning creditor, who was practically the only creditor in the above case, attended on Monday at the county court at Hastings for the purpose of conducting the public examination of the debtor. After the examination of the debtor by Mr. Howard W. Cox, the Brighton official receiver, had concluded (this was necessarily in our view of a somewhat incomplete character, for the debtor kept no books), Mr. Spyer commenced his examination on behalf of the petitioning creditor. After Mr. Spyer's examination had proceeded for a short time, the official receiver got up and stated that in his opinion Mr. Spyer was only examining upon matters upon which he (the official receiver) had already examined the debtor, and that therefore he should decline to allow the shorthand writer who was taking down the examination to continue to do so, as he could not sanction the expense being incurred, for the Board of Trade were constantly complaining of the cost of the shorthand writer's notes. Mr. Spyer pointed out to the official receiver that it was not for him to take objection to the mode of conducting the examination, but for the court; and that until he was stopped by the court (which he had not been) he should certainly not refrain from continuing to examine the debtor in the way he judged most proper in the interest of his client. The official receiver then repeated that he would not permit the shorthand writer to continue to take down the notes of the examination; and Mr. Spyer thereupon stated that he should decline to proceed with the examination, which would be useless unless it appeared upon the court records, and that unless the shorthand writer was directed to continue taking the note he should not ask any more questions, but should report the matter to the Board of Trade, and ascertain whether the official receiver had received instructions to act as he was doing. As the result of the position taken up by Mr. Spyer, the official receiver instructed the shorthand writer to continue taking the notes, reserving to himself the right to *eliminate* from the notes any portion thereof which he thought was a repetition. As the result of Mr. Spyer's examination important information was obtained from the debtor.

We think it only right to call your attention to what has taken place in this case, which we venture to think in our experience of bankruptcy is absolutely without precedent; and we can hardly imagine that the Board of Trade can have given, or been party to giving, instructions to the official receiver which could justify him in acting as he did, and which practically means that the official receiver arrogates to himself the right of deciding what questions a solicitor, as representing the creditor, ought to put to a debtor.

Although, perhaps, it is hardly necessary that we should refer you to the Act, still it may be convenient to refer to section 17, which shows that the "court" has to decide what questions shall be put to a debtor, and that such notes as the "court" (not the official receiver) thinks proper should be taken down "in writing" and signed by the debtor; and to rule 67, which shows that the shorthand writer is appointed by the "court," and not by the official receiver. We venture to think that there is nothing in the Act which empowers an official receiver to eliminate from the notes of the examination matters which he may consider repetition or unnecessary.

We shall be glad to have your views upon what has taken place.—Yours faithfully, (Signed) SPYER & SONS.

John Smith, Esq., Board of Trade, Whitehall, S.W.

Dear Sir, May 13th, 1896.

Re S. Pearl.

Having regard to what took place at the public examination herein, we have thought it proper to address a letter to the Inspector-General in Bankruptcy upon the matter. As a matter of courtesy we send herewith a copy of the letter we have written.—Yours faithfully,

(Signed) SPYER & SONS.

Howard W. COX, Esq., The Official Receiver, Brighton.

4, Pavilion-buildings, Brighton, May 14th, 1896.

Dear Sirs, *Re S. Pearl.*

I have your letter of yesterday's date, and am much obliged by the copy of your letter to the Inspector-General.

It does not, I think, quite accurately represent what took place, as of course I did not object to the questions put by Mr. Spyer, but only to the expense of taking down and transcribing questions which had been already put and answered, or which had relation only to the points as to whether your client's advice to the bankrupt had resulted in a gain or loss.—Yours faithfully,

(Signed) HOWARD W. COX, Official Receiver.

Messrs. Spyer & Sons, 53, New Broad-street.

Dear Sir, May 21st, 1896.

Re Pearl.
Hastings County Court.
No. 13 of 1896.

We expected before this to have received a reply to our communication to you of the 13th inst.—Yours faithfully,

(Signed) SPYER & SONS.

John Smith, Esq., Board of Trade, Whitehall.

Gentlemen, Board of Trade, 23rd May, 1896.

Re Pearl.

I am directed by the Inspector-General in Bankruptcy to acknowledge the receipt of your letter of the 21st instant, and to inform you in reply that he is in communication with the official receiver in regard to your complaint, and will reply fully to your letter in the course of a few days.—I am, gentlemen, your obedient servant, FRANK L. CLARK.

Messrs. Spyer & Sons, 53, New Broad-street, E.C.

Gentlemen, Board of Trade, 1st June, 1896.

With reference to your letter of the 13th ult., I am directed by the Inspector-General in Bankruptcy to state that as the public examination of a debtor is a proceeding before the court it rests with the court at the hearing to decide any point of dispute which may arise between the parties before it. No instructions have been given to official receivers in bankruptcy which would justify them in attempting to decide what questions should or should not be put to a debtor at his public examination, but it is clearly their duty to see that the expense of shorthand notes is kept within reasonable limits, especially where there are no assets, and when therefore any question appears to them to be irrelevant or unnecessary it is their duty to bring the point to the notice of the court for its direction under rule 67 of the Bankruptcy Rules, 1886 and 1890, as to how the cost is to be met.

In the case to which you direct attention the official receiver states that no suggestion was made as to eliminating anything from the notes, and that he arranged with the shorthand writer to continue taking the notes, reserving the question of transcription for further consideration.

I would venture to suggest, however, that in any future case where you desire to examine a debtor, and where the official receiver declines to be personally responsible for the cost of the notes, the difficulty may be overcome by your undertaking to pay the costs or by your obtaining an order that they should be charged against the estate.—I am, gentlemen, your obedient servant, FRANK L. CLARK.

Messrs. Spyer & Sons, 53, New Broad-street, London, E.C.

Sir, June 2nd, 1896.

We are obliged for your letter of yesterday's date, and note with satisfaction that you agree with us that it rests with the court to decide what questions should or should not be put to a debtor at his public examination, and not with the official receiver, and that you have not given any such instructions as has been suggested in this particular case.

With regard to the latter part of the first paragraph of your letter, in which you state that it is the duty of the official receiver to keep the expense of the shorthand notes within a reasonable limit, and that if any question appears to be irrelevant or unnecessary to bring the point to the notice of the court under rule 67, we have carefully read the rule in question, and we fail to find that there is anything therein which would justify the official receiver acting in the way you suggest, and we shall be glad if you will indicate the precise portion of the rule which you say does so.

With regard to the second paragraph of your letter, all we can say is that if Mr. Cox, the official receiver, denies the accuracy of our statement as to what took place, he says that which is not correct; we would point out to you that in his letter to us, of which we sent you a copy, he did not deny our version of what took place as stated in our letter to you.

With regard to the third paragraph of your letter, we would point out to you that in our view the official receiver has neither the right nor the power to decline to be responsible for the costs of the notes when the court has once sanctioned the appointment of a shorthand writer; and we shall be glad to know if we are to understand that it is by your direction that an official receiver takes up the position of declining such responsibility, or of allowing the notes to be taken reserving to himself the right of deciding afterwards what is to be transcribed.

The last paragraph of your letter has no application to the present case, nor to the case of the public examination of a debtor; the practice being for the court under the rules to appoint a shorthand writer to take down the evidence, and if there be no estate his fees for the transcript would have to be defrayed in the ordinary way out of the public funds available for that purpose.

We shall be glad to receive your further reply hereon, as we think the matter is of some importance to the public, and we propose with your permission sending the whole of the correspondence to the legal newspapers.—Yours truly, SPYER & SONS.

John Smith, Esq., Board of Trade, Whitehall, S.W.

Gentlemen, Board of Trade, 10th June, 1896.

Re Pearl, Hastings, a Bankrupt.

I am desired by the Inspector-General in Bankruptcy to acknowledge the receipt of your letter of the 2nd inst., and to inform you, in reply, that in his opinion the questions raised by you are not of a character which can be solved by any expression of opinions either on your part, or on that of the official receiver, or the Board of Trade; and that he must therefore decline further correspondence on the subject. The question whether, or how far, the official receiver is personally responsible for the costs of taking and transcribing notes of a debtor's examination where there are no assets belonging to the estate out of

which these expenses can be paid can only be decided by the court having jurisdiction in the matter.—I am, gentlemen, your obedient servant,

FRANK L. CLARK.

Messrs. Spyer & Sons, 53, New Broad-street, E.C.

CASES OF THE WEEK.

Court of Appeal.

RICHMOND HILL STEAMSHIP CO. *v.* CORPORATION OF TRINITY HOUSE—C.A. No. 1, 16th June.

SHIP—LIGHT DUES—MEASUREMENT OF TONNAGE—DECK CARGO—"GOODS"—HORSES AND CATTLE—MERCHANT SHIPPING ACT, 1876 (39 & 40 VICT. c. 80), s. 23.

Appeal and cross appeal from the judgment of Lord Russell of Killowen, C.J., at the trial of the action without a jury (reported, 1896, 1 Q. B. 493). The plaintiffs were the owners of the steamship *Richmond Hill*, and the defendants were the collectors of light dues payable by vessels entering the port of London. On the 7th of December, 1894, the *Richmond Hill* arrived in the port of London from New York, having on board a deck cargo of seventeen horses and 350 head of cattle, carried in covered sheds, divided into pens, on the deck. These sheds and pens were part of the fittings of the ship. In pursuance of section 23 of the Merchant Shipping Act, 1876, a surveyor of customs boarded the ship for the purpose of ascertaining the tonnage of the ship upon which light dues were payable, and measured the said deck cargo, measuring the length, width, and height of the sheds by outside measurements, the result being 328 tons. By section 23 of the Merchant Shipping Act, 1876 (which has been repealed, but is re-enacted in section 85 of the Merchant Shipping Act, 1894), "if any ship . . . carries as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, timber, stores, or other goods, all dues payable on the ship's tonnage shall be payable as if there were added to the ship's registered tonnage the tonnage of the space occupied by such goods. . . . The space so occupied shall be deemed to be the space limited by the area occupied by the goods and by straight lines enclosing a rectangular space sufficient to include the goods." The defendants demanded £3 16s. 6d. for light dues payable in respect of the 328 tons, and the plaintiffs paid it under protest, and brought this action to recover it back. Lord Russell of Killowen, C.J., held that live animals were "goods" within section 23, but that a wrong principle of measurement had been adopted, the surveyor having to measure not the sheds but the space occupied by the animals themselves, making reasonable allowance for their free bodily movements. He accordingly gave judgment for the plaintiffs for £1. The plaintiffs and the defendants both appealed.

THE COURT (Lord ESHER, M.R., KAY and A. L. SMITH, L.JJ.), dismissed the appeals.

Lord ESHER, M.R., said that, considering what light dues were for, namely, as a payment for the safety of the ship and cargo, it would be strange if the word "goods" in section 23 was confined to wooden goods, as argued, on the principle of *ejusdem generis*. In his opinion "goods" must have its ordinary meaning as including things carried as cargo, and therefore included horses and animals. Next, as to the mode of measurement, "the space occupied by the goods" meant the space actually occupied by the animals with reasonable facilities for their movements. The surveyor had to measure a hypothetical shed consisting of a rectangular space no larger than was necessary for actual occupation by the animals with reasonable facilities for them, and then to take the measurement of the inside of that shed. The judgment therefore was right.

KAY and A. L. SMITH, L.JJ., concurred.—COUNSEL, *J. Lawson Walton*, Q.C., and *Holman*; *Bucknill*, Q.C., and *Butler Aspinall*. SOLICITORS, *Downing, Holman, & Co.*; *Sandilands & Co.*

[Reported by W. F. BARRY, Barrister-at-Law.]

THOMSON *v.* THOMSON—No. 2, 10th June.

DIVORCE—VARIATION OF SETTLEMENT—DEATH OF PETITIONER AFTER DECREE ABSOLUTE—MATRIMONIAL CAUSES ACT, 1859 (22 & 23 VICT. c. 61), s. 5—MATRIMONIAL CAUSES ACT, 1878 (41 VICT. c. 19), s. 3—CONVEYANCING AND LAW OF PROPERTY ACT, 1881 (44 & 45 VICT. c. 41), s. 39.

This was an appeal from a decision of the President of the Divorce Division. The husband presented a petition for divorce by reason of his wife's adultery, and obtained a decree *nisi* on the 14th of June, 1895. On the marriage the husband brought into settlement a sum of £10,000, which was invested and settled on the usual trusts—viz., the first life interest to the husband, second life interest to the wife, remainder to the children of the marriage. On the hearing of the petition an agreement was made between the parties and was signed by their respective counsel, whereby the petitioner agreed to settle sufficient funds to secure to the respondent £120 per annum for her life, and the respondent agreed to the trusts of the settlement being set aside, and to the remainder of the trust funds being retransferred to the petitioner absolutely, there being no children of the marriage. The respondent also agreed to the appointment of the same trustees of the new settlement as of the original settlement. On the 19th of January, 1896, the decree *nisi* was made absolute, and on the 7th of February, 1896, the husband presented a petition to vary the trusts of the settlement and to carry out the agreement of the 14th of June, 1895. Shortly afterwards the petitioner died. An application to make the legal personal representative of the petitioner a party to the proceedings was dismissed by the registrar, and his decision was affirmed by the President, who held that the court had no jurisdiction under the Divorce Acts, and that the Legislature intended in the Act of 1859 to limit the power of altering settlements to the personal benefit of a husband, wife, or children. Section 5 of the Matrimonial Causes Act, 1859, provides that "the court after a final decree of nullity of marriage or dissolution of marriage may inquire into the existence of ante-nuptial or post-nuptial settlements made on the parties whose marriage is the subject of the decree, and may make such orders with reference to the application of the whole or a portion of the property settled either for the benefit of the children of the marriage or of their respective parents as to the court shall seem fit." By section 3 of the Matrimonial Causes Act, 1878, the court is empowered to exercise the powers vested in it by section 5 of the Act of 1859, "notwithstanding that there are no children of the marriage." By section 39 (1) of the Conveyancing Act, 1881, "notwithstanding that a married woman is restrained from anticipation, the court may, if it thinks fit, where it appears to the court to be for her benefit, by judgment or order, with her consent, bind her interest in any property." The legal personal representative appealed, and argued that if recourse was had to the Conveyancing Act it was for the wife's benefit to accept the terms when they were offered to her. Otherwise the remedy lay under section 5 of the Matrimonial Causes Act, 1859. In either case the court had jurisdiction.

THE COURT (LINDLEY, LOPES, and RIGBY, L.JJ.), without calling upon the respondent, dismissed the appeal.

LINDLEY, L.J., did not see any way out of the difficulty. He stated the facts, and said the application was made by the legal personal representative to vary the settlement. One way was to enforce the agreement of the 14th of June without reference to the Divorce Acts; if the wife had not been restrained from anticipation, his lordship did not see why that should not have been done, but unfortunately she was restrained. The agreement could not be enforced, therefore, unless it could be converted into one which was binding on her. That could only be done under section 39 of the Conveyancing Act, 1881. That section conferred power on the court to free married women from restraints on anticipation; but she was not a married woman, her husband being dead. The short and best answer was that she was not a married woman, and with or without the section it could not be done. The parties were driven back to the Divorce Acts, which first conferred jurisdiction on the Divorce Court by the Act of 1857. They had to consider section 5 of the Act of 1859. How could they say that there was jurisdiction to make any order for the benefit of the parents, the husband being dead, and there being no children? The Act was intended for the benefit of living people. The President had taken the correct view, and the court had no jurisdiction.

LOPES, L.J., was of the same opinion.

RIGBY, L.J., said that none of the sections in question applied. No order now made could be for the benefit of any living person. Appeal dismissed.—COUNSEL, *Bayford*, Q.C., *Haldane*, Q.C., and *Bargrave Deane*; *Inderwick*, Q.C., and *Priestley*. SOLICITORS, *Rowcliffes, Rawle, & Co.*; *Seaton F. Taylor*.

[Reported by W. SHALLCROSS GODDARD, Barrister-at-Law.]

High Court—Chancery Division.

***Re* ALLEN, ADCOCK *v.* EVANS**—Chitty, J., 17th June.

ADMINISTRATION—RIGHT OF RETAINER—SPECIALTY AND SIMPLE CONTRACT CREDITORS.

This was a summons by persons claiming to be creditors of the estate of the above-named intestate for payment by the administratrix of three quarters' rent due under an indenture of lease dated in 1886, or for administration. The administratrix claimed a right of retainer to an amount exceeding the whole amount of the estate. By an indenture of mortgage dated in 1893, the intestate covenanted for the repayment to R., with interest, six months after the date thereof, of £800 advanced to the intestate by R.; and certain leasehold premises then held for the intestate for life, with remainder to the defendant absolutely, under a voluntary settlement made by the intestate in 1877, were, by the direction of the intestate and of the defendant, demised to R. for the residue of the term for which the same were held, as security for payment of the £800 and interest; and the intestate covenanted with the defendant to duly pay all moneys by the same indenture covenanted to be paid, and to keep indemnified the estate and interest of the defendant in the said leasehold premises against all such moneys; and in case the defendant should at any time thereafter pay any money for the redemption of the said leasehold premises, forthwith to repay such money, with interest. The intestate died in November, 1893, without having paid any part of the £800, which was still unpaid, but the defendant had kept down the interest since the death of the intestate. The question was whether, under these circumstances, the defendant was entitled to retain a sum of about £400 in her hands as administratrix in respect of the £800 due on the above mortgage. The following cases were cited: *Fergusson* v. *Gibson* (L. R. 14 Eq. 379, 21 W. R. Dig. 6), *Lethbridge* v. *Mytton* (2 B. & Ad. 772), *Lecesmore* v. *Radford* (9 M. & W. 657), *Re Compton*, *Norton* v. *Compton* (33 W. R. 160, 30 Ch. D. 15), and also Mayne on Damages, 5th ed., p. 321.

CHITTY, J., said that the legal personal representative could retain only against a creditor of equal degree, and could not retain a simple contract debt against a specialty creditor. That was settled law. The intestate in the present case covenanted with the defendant to duly pay all moneys covenanted to be paid by the mortgage. There had been a breach of that covenant, and, except for her double character, the administratrix could sue for the breach and recover damages. What, then, would be recoverable? The authorities showed that the whole measure of the debt would

be recoverable. The administratrix could have recovered in an action except for the fact stated, and was therefore entitled to retain.—Counsel, *Eastwick; Kirby.* Solicitors, *Ullithorne, Currey, & Currey*, for *Jessopp & Sons*, Bedford; *Heath, Parker, & Brett.*

[Reported by J. F. Waley, Barrister-at-Law.]

High Court—Queen's Bench Division.

SMITH *v.* **GILL**—15th June.

Practice—Appeal—Claim Not Exceeding £20, but Counter-Claim for Sum Exceeding £20—County Courts Act, 1888 (51 & 52 Vict. c. 43), s. 120.

In this case the point was raised whether in a county court action in which the claim was for a sum less than £20 there was a right of appeal, there being a counter-claim for over £20. There does not appear to have been hitherto any reported decision upon the point. The claim was for £3 11s. 3d. for the cost of removing certain gas brackets which were not suitable for the purpose for which they were required. The defendant counter-claimed for £21 7s. 6d., the price of the said brackets. Judgment was given for the plaintiff both upon the claim and upon the counter-claim. The defendant appealed, and at the hearing of the appeal the preliminary objection was taken that there was no right of appeal. The right of appeal is regulated by section 120 of the County Courts Act, 1888, which provides that "if any party in any action or matter shall be dissatisfied with the determination or direction of the judge . . . the party aggrieved . . . may appeal from the same to the High Court . . . ; provided always that there shall be no appeal in any action of contract or tort, other than an action of ejectment or an action in which title to any corporeal or incorporeal hereditament shall have come in question, where the debt or damage does not exceed twenty pounds . . . ." In section 186 "action" is defined to mean "every proceeding in the court which may be commenced as prescribed by plaint." It was contended that, as counter-claims were commenced only by a notice, there was no appeal where the claim was for an amount under £20, notwithstanding there was a counter-claim for an amount exceeding £20. It was submitted that "matter" referred only to the equitable jurisdiction of the court.

Cave, J.—We do not think that there is anything in this preliminary point.

The hearing of the appeal then proceeded.—Counsel, *J. E. Bankes; Buckmaster.* Solicitors, *Hamlin, Grammer, & Co.*, for *J. Vosper Curry*, Bradford; *Prior, Church, & Adams*, for *W. H. Forster*, Leeds.

[Reported by C. G. Wilbraham, Barrister-at-Law.]

REG *v.* **LILLYMAN**—C. C. R., 16th June.

Criminal Law—Evidence—Rape and Indecent Assault—Complaint by Prosecutrix—Admissibility.

Case stated by Hawkins, J. The prisoner was tried at the Nottingham Assizes upon an indictment containing three counts, of which the first charged him with an attempt to have carnal knowledge of a girl above the age of thirteen and under the age of sixteen years. The girl gave evidence of the acts complained of. Counsel for the prosecution then tendered evidence in chief of a complaint made by the girl to her mistress in the absence of the prisoner very shortly after the commission of these acts, and proposed to ask the details of that complaint as made by the girl. The prisoner's counsel objected, first, that the complaint could not be given in evidence at all; and, secondly, that even if the fact of a complaint having been made was admissible, the particulars of it could not be elicited in the examination in chief. The judge overruled both objections and admitted the evidence. The mistress then deposed to all the girl had said respecting the prisoner's conduct towards her. The jury found the prisoner guilty on the first count. If the evidence was rightly admitted the conviction was to stand, otherwise to be quashed. The cases bearing upon the question are to be found collected in Roscoe's Criminal Evidence, under the head "Hearsay," and in Archbold's Criminal Pleading and Evidence. The case was argued on the 25th of April, when judgment was reserved.

The judgment of the Court (Lord Russell of Killowen, C.J., Pollock, B., and Hawkins, Cave, and Wills, JJ.) was delivered by

Hawkins, J., who, after stating the facts, said:—It is necessary, in the first place, to have a clear understanding as to the principles upon which evidence of such a complaint, not on oath, nor made in the presence of the prisoner, nor forming part of the *res gestae*, can be admitted. It clearly is not admissible as evidence of the facts complained of; these facts must therefore be established (if at all) upon oath by the prosecutrix or other credible witness; and, strictly speaking, evidence of them ought to be given before evidence of the complaint is admitted. The complaint can only be used as evidence of the consistency of the conduct of the prosecutrix with the story told by her in the witness-box, and as being inconsistent with her consent to that of which she complains. In every one of the old text-books proof of complaint is treated as a most material element in the establishment of a charge of rape or other kindred charge. In Hawkins P. C., Bk. I., c. 41, s. 3, it is said: "It is a strong but not a conclusive presumption against a woman that she made no complaint in a reasonable time after the fact." [His Lordship then referred to 4 Blackst. Com., c. 15, pp. 211 and 213, and continued:] It is too late therefore now to make serious objection to the admissibility of evidence of the fact that a complaint was made, provided it was made as speedily after the acts complained of as could reasonably be expected. We proceed to consider the second objection, which is that the evidence of complaint should be limited to the fact that a complaint was made, without giving any of the particulars of it. No authority binding on us was cited during the argument, either in support of or against this objection. We must therefore determine the matter upon principle. That the general usage has been substantially to limit the evidence of the complaint to proof that the woman made a complaint of something done to her, and that she mentioned in connection with it the name of a particular person, cannot be denied; but it is equally true that judges of great experience have dissented from this limitation, and of those who have adopted the usage none have ever carefully discussed or satisfactorily expressed the grounds upon which their views have been based. [His lordship then referred to and discussed the following authorities: *R.* v. *Brazier* (East P. C. 443), *R.* v. *Clarke* (2 Stark 243), Phillips on Evidence, 204, *R.* v. *Walker* (2 M. & Rol. 212), *R.* v. *Megson* (9 C. & P. 420), *R.* v. *Guttridge* (9 C. & P. 471), *R.* v. *Osborne* (2 C. & M. 622), *R.* v. *Wink* (6 C. & P. 397), Stephen's Digest of the Law of Evidence (4th edition), note 5 to article 8, *R.* v. *Eyre* (2 F. & F. 579), *R.* v. *Wood* (14 Cox 46), and proceeded:] After very careful consideration, we have arrived at the conclusion that we are bound by no authority to support the existing usage of limiting evidence of the complaint to the bare fact that a complaint was made, and that reason and good sense are against our doing so. The evidence is admissible only upon the ground that it was a complaint of that which is charged against the prisoner, and can be legitimately used only for the purpose of enabling the jury to judge for themselves whether the conduct of the woman was consistent with her testimony on oath given in the witness-box negativing her consent and affirming that the acts complained of were against her will, and in accordance with the conduct they would expect in a truthful woman under the circumstances detailed by her. The jury, and they only, are the persons to be satisfied whether the woman's conduct was so consistent or not. Without proof of her condition, demeanour, and verbal expressions, all of which are of vital importance in the consideration of that question, how is it possible for them satisfactorily to determine it? Is it to be left to the witness to whom the statement is made to determine and report to the jury whether what the woman said amounted to a real complaint? And are the jury bound to accept the witness's interpretation of her words as binding upon them, without having the whole statement before them, and without having the power to require it to be disclosed to them, even though they may feel it essential to enable them to form a reliable opinion? For it must be borne in mind that if such evidence is inadmissible when offered by the prosecution the jury cannot alter the rules of evidence and make it admissible by asking for it themselves. In reality affirmative answers to such stereotyped questions as these: Did the prosecutrix make a complaint? (a very leading question by the way)—Of something done to herself? Did she mention a name?—amount to nothing to which any weight ought to be attached; they tend rather to embarrass than to assist a thoughtful jury, for they are consistent either with there having been a complaint or no complaint of the prisoner's conduct. To limit the evidence of the complaint to such questions and answers is to ask the jury to draw important inferences from imperfect materials, perfect materials being at hand and in the cognizance of the witness in the box. In our opinion nothing ought unnecessarily to be left to speculation or surmise. It has been sometimes urged that to allow the particulars of the complaint would be calculated to prejudice the interests of the accused, and that the jury would be apt to treat the complaint as evidence of the facts complained of. Of course, if it were so left to the jury they would naturally so treat it. But it never could be legally so left, and we think it is the duty of the judge to impress upon the jury in every case that they are not entitled to make use of the complaint as any evidence whatever of those facts, or for any other purpose than that we have stated. With such a direction we think the interests of an innocent accused would be more protected than they are under the present usage. For when the whole statement is laid before the jury they are less likely to draw wrong and adverse inferences, and may sometimes come to the conclusion that what the woman said amounted to no real complaint of any offence committed by the accused. Moreover, the present usage and consequent uncertainty in practice (for the usage is not universal) provokes many objections to the evidence on the part of the prisoner's counsel, and these are generally looked upon with disfavour by the jury; and the very object of confining the evidence of the complaint to the few stereotyped questions we have referred to is often defeated by a device, not to be encouraged, by which the name of the accused, though carefully concealed as an inadmissible particular of the complaint, is studiously revealed to the jury by some such question and answer as the following: "In consequence of that complaint did you do anything?" "Yes, I went to the house of the prisoner's mother, where he lives, and accused him." This seems to us an objectionable mode of introducing evidence indirectly, which if tendered directly would be inadmissible. We are aware that Patteson, J., is reported in *R.* v. *Wink* (6 C. & P. 397) to have suggested that such a mode of obtaining the evidence might be adopted, but we cannot help thinking that there must be some inaccuracy in the report; and the suggestion did not meet with the approval of Cresswell, J., in *R.* v. *Osborne* (2 C. & K. 624), nor of Brett, J., in *R.* v. *Thomas* (13 Cox 77), nor can we approve it. In the result our judgment is that the whole statement of a woman containing her alleged complaint should, so far as it relates to the charge against the accused, be submitted to the jury as a part of the case for the prosecution, and that the evidence in this case was therefore properly admitted. The conviction must be affirmed. Conviction affirmed.—Counsel, *J. E. Fox; Sir R. Finlay*, S.G., *Henry Sutton*, and *Crocroft.* Solicitors, *Williams & Son*, Lincoln; *The Solicitor to the Treasury.*

[Reported by T. R. C. Dill, Barrister-at-Law.]

LAW SOCIETIES.

SOLICITORS' BENEVOLENT ASSOCIATION.

ANNIVERSARY FESTIVAL.

The thirty-sixth anniversary festival of the Solicitors' Benevolent Association was held, at the Whitehall Rooms, Hotel Métropole, on Tuesday; Mr. Lewis Fry, M.P., presiding. Among the guests were: The Right Hon. Lord James of Hereford, the Right Hon. Sir Edward Fry, the Rev. Canon Ainger, D.D. (Master of the Temple), Mr. J. Wreford Budd (president), Mr. J. Addison (vice-president, Incorporated Law Society), Lieut. Gen. Sir H. Havelock-Allan, Bart., M.P., V.C., Mr. Alfred Hopkinson, Q.C., M.P., Mr. Richard Pennington (chairman of the board of directors), Mr. A. F. Warr, M.P. (Liverpool), Mr. N. T. Lawrence, Mr. B. G. Lake, Mr. H. Holland Burne (Bath), Mr. W. H. Winterbotham, Mr. R. W. Tweedie, Mr. Arthur Godlee (president Birmingham Law Society), Mr. Henry Manisty, Mr. Sidney Smith, Mr. Augustus Helder, M.P. (Whitehaven), Mr. John Hollams, Mr. W. T. Neve, Mr. J. P. Tatham, Mr. F. Crozier, Mr. A. M. Manby (president Wolverhampton Law Society), Mr. E. J. Stannard, Mr. Thomas Meares, Mr. A. Neilson, Mr. H. M. Crookenden, Mr. J. J. E. Venning, Mr. A. F. Francis, Mr. H. M. Cotton, Mr. Samuel Harris, Mr. J. W. Taylor (president Buxton Law Society), Mr. H. J. Torr, Mr. A. J. Beauchamp (president Worcestershire Law Society), Mr. F. Brewster (South Durham and North Yorkshire Law Society), Mr. G. A. Collins, Mr. J. V. N. Plumptre, Mr. C. W. Washbrough (president Bristol Law Society), Mr. H. C. Beddoe, Mr. G. R. Dodd, Mr. J. G. Bristow, Mr. G. H. Gisby (president Herts Law Society), Mr. S. M. Beale, Mr. T. J. Pitfield, Mr. T. M. Todd, Mr. A. Paris, Mr. W. Lambert, Mr. R. L. Devonshire, Mr. R. W. Burn, Mr. E. K. Blyth, Mr. P. W. Chandler, Mr. John Clayton (president Ashton-under-Lyne Law Society), Mr. G. Winch (president Kent Law Society), Mr. R. G. Pidcock, Mr. H. D. Burn, Mr. F. T. Woolbert, Mr. A. J. Harris, Mr. Wm. Smail, Mr. A. Trinder, Mr. R. G. Burn, Mr. J. T. Scott (secretary).

The Chairman, in proposing the health of the Queen, observed that on Sunday next Her Majesty would enter upon the sixtieth year of her reign, and as that reign bade fair to be the longest, so he thought he might say it had been the happiest, in the long annals of the country. He was sure they would join with him in the hope and prayer that Her Majesty might yet be spared for many years to reign over a loyal and happy people. He then gave the health of the Prince and Princess of Wales.

The toasts having been honoured with the customary enthusiasm,

Mr. John Hollams proposed "The Houses of Parliament." After observing that the majority of Englishmen gained their knowledge of the work of the Houses of Parliament from the newspapers, he said he thought that lawyers knew a little more about that work. Lawyers realized the important duties which were done by the members who sat upon the special committees to consider non-contentious Bills and proposed changes of the law. Those committees sat day by day for prolonged periods, and gave a vast amount of time and attention to really important business. But perhaps solicitors knew a great deal more than all this, because it was the province of solicitors to see members of both Houses of Parliament sitting in a hot, crowded, ill-ventilated committee-room as an important judicial tribunal to transact private bill legislation. No business of the country could possibly be more important. He believed it had been said that a committee in one week frequently dealt with more important matters in a pecuniary point of view than all the courts of the country put together in a whole year. Everyone who had had any experience of these committee rooms knew that that tribunal discharged its duty with great care and patience and courtesy, and he thought that everyone who had had any experience must know that those who served on that committee of both Houses of Parliament were entitled to the gratitude of the country. Everyone in the country was proud of the Houses of Parliament, which were admired by the whole civilized world. It gave him peculiar pleasure that he was permitted to associate with the toast the name of Lord James of Hereford. He had had the privilege of seeing the career of that noble lord from the time when he was the junior of his circuit, when his distinguished powers of advocacy were displayed in that forensic nursery the Mayor's Court of London. Then he became a leading junior of the day, and in due course one of her Majesty's counsel. He also became a prominent member of the House of Commons, of which body he was a member for somewhere approaching thirty years, and during the whole of that period, although he stood in many contested elections, he was never unsuccessful. At an unusually short period after he became a member of the House of Commons he was called to hold the high office of Solicitor-General, and very shortly afterwards to the office of Attorney-General, which office he filled twice. On his relinquishing that office he had the distinguished, and as far as he (Mr. Hollams) knew, the unprecedented distinction of being made, although then practising at the bar, a member of her Majesty's Privy Council. And then—it was an open secret—an event occurred which was certainly unprecedented: Lord James of Hereford had the opportunity of being Lord High Chancellor of England, and even that high prize was not enough to tempt him to yield his personal and political convictions. And then he was made a peer and became a Cabinet Minister; and then a circumstance occurred which was worthy of notice, and which was peculiarly interesting to those present. Very soon after Lord James filled the important office which he now held a very important judicial appointment became vacant. What was the condition of things at that time? There had been a hotly contested General Election. The party of Lord James had been returned to power. Many prominent men in the legal profession had contributed to that success; many of these men thought themselves or thought their friends well qualified to fill the vacant office. But what did Lord James do? He looked about him to select the best man, and in the end appointed a political opponent. He (Mr. Hollams) hoped that they might all anticipate that that example would be followed, and that in the making of appointments to judicial offices politics might be disregarded. He might be permitted to refer to one other subject. Many years ago, when this important and laudable institution, the Solicitors' Benevolent Association, was not so firmly established as it happily was at present, at a time when Lord James was overwhelmed with professional and political engagements, he kindly devoted time to preside at one of these festivals, shewing, as he was shewing to-night, that he was always ready to extend a helping hand to those who needed it. It also gave him much pleasure to couple with the toast the name of Mr. Warr, who was the representative of one of the oldest and most important firms of solicitors in the kingdom.

Lord James of Hereford responded for the House of Lords. He said the Houses of Parliament stood in a higher position than ever before. They were based, happily, upon a democratic foundation. There was a greater power of the people expressed through the Houses of Parliament than ever could have been anticipated in former times, and there were many who believed that that power was one which had been wisely given to the people, and that that power had been wisely exercised, and that the course of events, at least for the last ten years, had shewn that the democracy of the country could be implicitly trusted. Whilst that was so, great results, which perhaps were not quite unanticipated, had now come into existence. Time had been marching on, and with that march great results had followed. Great causes had produced great results, causes and results which must be dealt with. Education, which had taught this democrary much, had made the men who had formed the constituencies of the country to take great interest in everything which took place in the Houses of Parliament; and the representatives of those constituencies knew that the performance of their duty was subject to a far different measure of judgment than that which existed in a bygone time. A few days ago a member of Parliament received from his agent a letter which told him that he was returned at the last election—that he had only spoken once; and his agent went on to say: "I tell you that if you do not make yourself conspicuous within the next two or three weeks you will never sit for your constituency again. Either be offensive or useful. If you are not one or the other, you will never have the confidence of your constituents." That might seem to be an idle tale, but it represented the truth. It was the requirement of the constituencies that every one of their representatives should be an active member of the House. Let them take the other view of the question. Whilst this great change had taken place the business which was transacted in Parliament had been increasing, and whilst in former times a short Session would have been sufficient within which to get through the business of the country both for administrative and legislative purposes, now, in consequence of the extension of empire, the improvement of communication, and the interest taken in political subjects, that time had been extended. Until lately the length of the Session had been as it was one hundred years ago. What was to be done in view of the changed circumstances? Let him say one word for the House of Lords, to which he now had the honour of belonging. That House did a great deal of useful work. Let him take one subject that would interest them, that of law reform. They knew that a great deal of law reform was required, more or less. They were agreed, at any rate, that some was required. Well, the House of Lords, for instance, had passed for the sixth time a Bill enabling accused persons to be examined. It had been passed again in the present Session. What was the result? They had been hard at work ploughing, unfortunately, the sands. That Bill would never pass the House of Commons, for the reason that it was simply a useful measure, and not a party measure. In the same way many other useful measures were disposed of. It was a practical question to be brought home to the citizens and the country. It was owing to the demands made upon the members of the House of Commons by their constituents very often, and not by reason of their own fault, that they spoke so much. The result had come practically to this, that the House of Commons could pass only one measure in each Session. If Parliament was to continue as it had existed in all its pride and power through the centuries, something must be created to adapt it to the demands of the changed circumstances. He felt that there was a great breakdown in the machinery of Parliament, and the only remedy was to be found in the hands of the citizens, who would in the end demand that the country should be properly governed, and it was their right to demand that practical utility should be the first consideration of Parliament, and the merely ornate power of speech—he said nothing of obstruction—should be put on one side and should become merely a secondary object. He was glad of the opportunity of meeting men of business who mingled with their fellow citizens, and who had the power of exercising great influence with them, and he did hope and trust that the present condition of public business would not be attributed to the action of one party or the other. There were Governments and there were Oppositions, and he knew from experience that when his party were in opposition there were some of them who did not wish the work of Parliament to be too rapidly proceeded with, and he knew that when they formed part of the Government that view was entertained by their political opponents. At the same time there must be a consensus of opinion that there ought to be more time given to the practical business of legislation, and less opportunity given for the empty speeches which conduced nothing to the wise legislation of the country. He then spoke of the great interest he took in the Solicitors' Benevolent Association. It was very cognate with the Barristers' Benevolent Association. It had been from the time of its commencement most active and earnest in its work, and he hoped they would let him say how much he had ever felt

that he was identified, not only in such respects but in others, with both branches of the profession. There had been many relatives of his belonging to the profession, and he felt that he should be most ungrateful if he did not endeavour to say, as the evening of his time was drawing around him, how much he owed to the solicitor branch of the profession.

Mr. A. F. Warr, M.P., responded for the House of Commons. He said that he shuddered to think what would happen if the question of the practice and procedure of the House of Commons were referred, let him say, to the Rule Committee, or, possibly better still, to a committee of the Council of the Incorporated Law Society. They certainly would begin with very drastic measures curtailing the liberty of speech, and he supposed that the immediate effect would be that progress in legislation would be made. When the House of Commons had got to the end of the present Session it would be a puzzle at this time to know what measures they would be able to point to which would be of interest to solicitors. There was one measure—he was not quite sure that it would not be the only one—a measure for the reformation of the practice of the Court of Passage of the Borough of Liverpool. It might possibly interest them more than otherwise would be the case if they would kindly bear in mind that it was Mr. Bigham's first baby, and he had been fortunate enough to secure the first place in the ballot for it. Apart from that, he did not know whether they would be able to salute an addition to their family in the person of the judicial trustee. He was not sure he dared mention the judicial trustee there, because he was not quite sure whether it met with the favour of Sir Henry Fowler; but if the judicial trustee should be born, he should like to crave for it a very warm welcome, because he believed it would prove a very valuable friend to lawyers, and that it would very seldom be a nuisance at all. Apart from these measures, he doubted if the House of Commons would be able to point to any others except such as interested agriculturalists alone. Solicitors were very much interested in the House of Commons, and it would be a very bad day for the profession if they ever came to think, in connection with what the House of Commons could do, of their own interests apart from the interests of the community. He did not think that there was the slightest risk of that state of things coming to pass. He believed that solicitors would always recognize the trend of public opinion and make it their duty to follow in it, always doing their best to help in every way to mould the practice and procedure of the courts towards the ever-changing wants of society, recognizing, as they had much better do whether they liked it or not, that they lived in a progressive and, as Lord James of Hereford had pointed out, a distinctly democratic age.

Mr. B. G. Lake gave the toast "The Bench and the Bar." He said that not only lawyers but the public might be proud of the bench of the British Empire, and, in dealing with the toast of the bench, he would remind them he not only dealt with it as covering the Lord Chancellor and the judges of the High Court, but with all the various ramifications of the judicial bench of the country. It was, perhaps, as well that the toast should be entrusted to a solicitor, who, by his mere position, was debarred from any hope of achieving that elevation which belonged to judges of the High Court. But he also, therefore, occupied a peculiar position of detachment, and could perhaps look upon these august functionaries with a view of impartiality which perhaps would not be given to everyone else. Moreover, one did not know from oneself or one's colleagues what might be the thorns which beset the seat of justice upon which those dignitaries were placed. It was not only to lawyers but to the public a possession of great pride, the possession of such a bench as Great Britain could boast. There was no bench of any country, no judiciaries of any character, which could compare, in his judgment at all events, with the bench of the British Empire. Those of them who had had to deal with foreign judges knew that they owed to the dignitaries of the judicial bench of this country the greatest possible regard and respect. It was a mere commonplace to speak of their impartiality and their justice. We not only looked upon them as the executive of the justice of the country, but we looked upon them also as embodying the highest possible representation of the English law, the liberties of the English subject. They, of course, as solicitors, had not so much to do with them as many who could speak more ably than he of their position in that capacity. But solicitors saw the judges principally in chambers, and he could, without fear of contradiction, say that where the judges—as was the case in chambers—had not the reporter always at their elbow, they would assist the solicitor in every way that they could to carry out the business in which they were interested. Of course, there was a good deal to be said about the feelings which solicitors might entertain for the judges in the sense that some of them thought there might be a little more reciprocity between the two branches of the profession than at present. He was not going to deal with this somewhat burning subject, but he would say that the judges lived in a blaze of publicity, and it was a very great thing to say that, living as they did, carrying out their duties as they did in the fullest blaze of publicity, it was a marvel that they should be so uniformly free from well-founded criticism as the judges of this country were. He was privileged to join to that part of the toast a judge who was present that night, and he ventured to say there was no judge upon the bench who had been held in more esteem than Sir Edward Fry. Turning to the second part of the toast, the bar was the school from which the judges were recruited. Of course the bar had many privileges which had been given to it for the purpose of defending the interests of suitors. He was not quite sure that the judges did not stand in some need of protection from the bar. There were constantly attacks made upon the many privileges of the bar. He was not one who sought to adopt those attacks. He thought it a very great advantage that they had such a profession as the bar, with such privileges as they possessed, entitled therefore to speak in the most fearless way in the interests they had to defend. He would see with the greatest possible regret any infringement upon the privileges of the bar, and he should deprecate, speaking as he did with some knowledge of the subject, a fusion of the two branches of the profession. He coupled with the second part of the toast the name of Mr. Hopkinson.

Sir Edward Fry, P.C., responded for the bench. He said he supposed it was impossible to look back upon the bench without a feeling of pride. It was now some two hundred years since the judges were made removable from their seats only on the joint address of both Houses of Parliament, and he believed that within that two hundred years occasion had never been found to remove any judge from the judicial bench. Certainly no judge had ever been removed during that period. That in itself was a record of which the bench might well be proud. He could not think that the sense of confidence in the bench had been in any way diminished. In the accumulation of new duties which were cast upon the bench he saw a sign of confidence. Many such cases had occurred. It had pleased the Legislature to throw upon them some very curious duties. They had been entrusted with the discretionary power of relieving members of Parliament who had the misfortune to become bankrupt from sitting in the Houses of Parliament, of sending men to prison when they did not pay their debts, and of determining the questions which were raised with regard to contested elections. Taking all these additions to their duties, it seemed to show conclusively that they had the regard of the public. What the future of the judicial bench was to be with the new democracy of which they had heard it would be dangerous to forecast. There was one small sign of the times which he received with considerable pain. A recent piece of legislation had made the chairmen of district councils *ex officio* justices, and in that way had placed the office of justice of the peace at the election of those men who are to be judged by justices of the peace. It was a small matter, but he confessed he viewed it with regret. In every state of society there were causes for anxiety and fear, but there were great and abundant causes for hope, and he was sure that as long as the present system of appointment to the bench should prevail, and as long as the honourable traditions connected with it should remain unbroken, there would be found in Her Majesty's judges men who would be prepared in times of trouble or danger to do their utmost in the administration of justice without fear and without favour, and he trusted that such would long be the tradition of the English bench.

Mr. Alfred Hopkinson, Q.C., M.P., replied on behalf of the bar. He thought that there was nothing more important with regard to the administration of justice in this country than the feeling that on one side the bench and the bar had mutual confidence in each other, and, on the other hand, that those who were immediately connected with the public should have confidence in that branch of the legal profession which served the humble purpose of a barrier between the bench and their branch of the profession. The pursuit in which the bar and solicitors in common were engaged was the bringing about the sound administration of justice, and there was no better way of securing the administration of justice than the warm, kindly feeling entertained by one branch of the legal profession for the other, and by the kindly expression of the strong feeling of confidence which both had in the bench which administered justice.

Mr. N. T. Lawrence proposed the health of "The Visitors."

The Rev. Canon Ainger, D.D. (Master of the Temple), and Lieut.-General Sir H. Havelock-Allan, Bart., M.P., V.C., acknowledged the compliment.

Mr. H. Holland Burne gave the toast, "The Incorporated and other Law Societies in England and Wales." He said the laity little knew how much time, attention, and trouble the Council of the Law Society, which consisted of fifty busy members of the profession, devoted to the various and numerous questions which came before them for discussion and decision. There was, moreover, the Standing Committee, which sat week by week unfortunately to consider complaints against certain solicitors who had misconducted themselves, the solicitor branch of the profession being, unhappily, no more exempt than any other profession. But there were also societies existing in the large commercial centres which fostered education, and were consulted with the smaller societies whenever the Incorporated Law Society desired. Having seen much of transfer of land, he felt confident that if a measure should be passed establishing compulsory registration the public would revolt against it, and the solicitor branch of the profession would be called upon to enlist the sympathies and the experience of astute conveyancing counsel to override any Act of Parliament which might be passed for that purpose.

Mr. J. Wreford Budd (president of the Incorporated Law Society, U.K.) responded for the Incorporated Law Society. He said the fortunes of the society and of the Solicitors' Benevolent Association had run in parallel grooves. Twenty years ago the society numbered 3,000 members. At present the number was nearly 8,000. They had risen from small beginnings to be the acknowledged representatives of the solicitor branch of the legal profession, and they owed no little of their present position to the co-operation of their kindred societies in the provinces. Twenty years ago the Solicitors' Benevolent Association was only able to dispense in much-needed charity something like £1,500 a year. Last year they distributed £4,000, so that their progress had been in proportion to the prosperity of the society. He was glad that every member of the Council of the Incorporated Law Society was a member of the Solicitors' Benevolent Association. He was also proud to know that many members of the Council, both at the present time and in the past, had assisted this deserving association by gifts. He would say nothing of the princely gifts of Mr. Hollams, which were too well known to need any comment, but he was glad also to say that a very large proportion of the members of the Council had given no small sums to the institution. The solicitors' profession was a very crowded one. Entrance into it was a long and expensive process. He was told that the average income of a solicitor was something like £200 a year. Could it be wondered at, then, that so many members of the profession from no fault of their own became, either in their own persons or by their families, objects of the charity of the

institution. It was the duty of solicitors in every way they could to support the association. He thought they hardly lived up to the standard which ought to guide them in these matters. There was still a large number of the members of the profession who stood aloof from membership with the association. The amount received from members of the profession in subscriptions was a very small one, and he wished that there was less difficulty in providing funds for the furtherance of its objects, as well as for the Incorporated Law Society. The Law Society maintained as high a system of education as they could, and also by their Discipline Committee they kept up as high a standard of integrity as possible. He need not say that the exercise of all these duties required money, and the society was very often, more especially in the direction of education, hampered by want of funds. This was not a very eventful year, he was afraid, for the Incorporated Law Society, but one thing he thought they might congratulate themselves upon was that instead of having a deficit they would have a balance on the other side which would enable them more efficiently in future to carry on their duties.

Mr. ARTHUR GODLEE returned thanks for the provincial law societies. He said there were between fifty and sixty separate provincial law societies, with a membership of 5,000 or 6,000, all of them in touch with the Incorporated Law Society, and he ventured to hope they were frequently of assistance to that body. They did the important work of watching over the interests of members in their districts, and they were represented on the Council of the Incorporated Law Society. He thought it very wise on the part of the Incorporated Law Society to have representatives throughout the provinces. Whether solicitors lived in London or the country they were met with cases of professional brethren crushed down in the competition and strife of life, or of the widow and children needing help. He urged, therefore, that solicitors should do all they could to ensure the prosperity of the association.

The CHAIRMAN gave the toast of the evening—"The Solicitors' Benevolent Association: and may prosperity continue to attend it." He said the claims of the association were so clear and obvious that he could not believe that its interests would suffer from any shortcomings of his in its advocacy. Mr. Budd had already made an eloquent appeal. He had said its beginnings were small, and that might be said of many, if not of most, works of permanent utility. The history of the association could be carried back to an earlier period than that which Mr. Budd had referred to. It was founded in 1858, and in 1861 it distributed the very modest sum of £10 in relief amongst its members. Originally the board of management never thought of relieving others than its subscribing members who might have fallen into distress. But it was soon found that there were very many cases which were outside these limits, and the scope of the charity of the association was very soon extended to those beyond its bounds. He thought they would agree that that was a change which was in accordance with the true principles of benevolence and charity. In 1861 the amount distributed in relief came to the very small sum of £10, but rapidly grew, and in 1875 it had reached £1,500. It had since grown still more rapidly, and ten years later it was £3,213, whilst last year, 1895, it had amounted to the really respectable sum of £4,048. Looking back over the whole period of its history, it had distributed in relief no less that £74,000 in 1,219 cases, of which 227 were those of subscribing members, and 992—by far the larger number—the cases of non-subscribers. He might add that since the last festival meeting 191 cases had been relieved. They owed a debt of gratitude, he thought, to those directors who took an active part in the administration of the fund. He himself was nominally a director, but he must admit that he was a non-effective member of the board of management, and he was therefore free to speak of the care and attention bestowed upon the work of the association by the directors mainly resident in London, who took a most active part in its affairs. Applications were most carefully investigated, and no cases which were not strictly deserving were ever permitted to share in the funds. Great economy was exercised in the work of the association, and those who had examined the accounts would agree that the cost of administrating the funds in proportion to their amount was extremely moderate and economical. The utility of the association was much limited by the want of larger funds to be placed at the disposal of the directors. There were many cases where they granted relief in which they would gladly extend the amounts given. He felt bound to follow the example of those who had occupied the chair before him, and he ventured to make a strong appeal to the profession in London and in the country to come forward more liberally than they had done at present on behalf of the association's funds. There were no less than 15,000 solicitors upon the roll of the profession in England and Wales, and out of that large number the subscribing members amounted only to 3,350, so that only about one solicitor in five was a contributor to the funds. He might mention that the association was in possession of several annuities, amounting in the whole to about £266 a year, for which they were indebted to the generosity of the late Miss Reardon, who left a large benefaction some years ago; and also to the generosity of the living members of the profession, Mr. John Hollams having contributed, besides his subscription to the annual collection, no less than £2,000. He (the chairman) appealed to the local law societies throughout the kingdom for greater aid for this most excellent object. There were 65 such societies, and the members of the association might do most useful work in widening its operations, not only by their own contributions, but by enlisting the sympathy and co-operation of their professional friends. He felt much indebted to the activity of his own professional brethren in Bristol, where he had practised for many years, for having supported him on the present occasion. His appeal was not so much to those who were present, and who showed by their presence their sympathy with the association, but the appeal should be to the far more extended constituency of the great profession of solicitors throughout the country. They knew the struggle of life, the intensity of which increased year by year. There were many who fell out of the ranks by illness or other causes, for which, generally speaking, they were in no way responsible, or death overtook them, and their widows and children were reduced to a condition of penury which it was lamentable to consider. They were surrounded by benevolent societies of all sorts making claims upon their charity. Large appeals were being made to the inhabitants of London on behalf of their great hospitals, and possibly an association like this might to some extent be affected by the competition of such claims as these. But he ventured to think that among all the claims there were none which appealed more strongly to them than the claims of those persons raised socially above the level of the wage-earning classes, and far removed above the poor, who were reduced to a state of penury and often of distress. These cases commanded their benevolence and their consideration to a greater extent than those other cases to which he had referred. They knew to the full the meaning of the poet's line—

"A sorrow's crown of sorrow is remembering happier things."

It was upon these grounds that he appealed to the members of the profession generally to give, if possible, a more generous support to the association. He said this as an old member of the profession who had long ceased to be in active practice, but who yet felt a warm interest in all that concerned the profession to which he belonged for many years, and he trusted the result of the meeting might be not only a liberal contribution to the funds of the association, but also to further its interests in the future, and to help forward this work, which he thought was a truly beneficent and a truly Christian one.

The toast was drunk upstanding and with cheers.

The SECRETARY (Mr. J. T. Scott) announced subscriptions and donations to the amount of £850, amongst which were the following: the Chairman, £52 10s.; Mr. Atlee, £25; Mr. N. T. Lawrence, £25; Sir George Lewis, £25; Mr. Hollams, £25; Bristol collection, £107.

Mr. RICHARD PENNINGTON, J.P. (chairman of the board of directors), returned thanks on behalf of the board of management. He did not wish to intrude upon them by telling them of the cases the board had to consider and which they did their best to relieve, but he might say that some of them were of the most distressing character. Had the board the means—which he hoped they would have in the future—of doing more than they had done, they would be only too glad to relieve some of those cases which claimed their support. The sympathy which the chairman had bestowed upon the association to-night would be thankfully received by every member who had had any experience of the operations of the association. The contributions to-night were most welcome. They were very large; they were more than the association had received on many occasions of this kind. He should like to mention one circumstance in connection with these festivals, which was that Lord James had presided over the last one in which they appealed to those outside the solicitor profession to preside, and he did not think he had ever heard a more eloquent appeal than that made by Lord James upon that occasion. He then proposed the health of the chairman. The name of Fry had been associated with everything that was charitable for many, many years. The chairman was a gentleman whom they all respected, both as a member of the solicitor branch of the profession and as a gentleman in every sense of the term. Surely there were many members of the profession who, from no fault of their own, had fallen to an extent which he should not like to attempt to describe, and surely it was the duty of those who had been successful, possibly from no merit of their own, to assist those in a different position. Surely it was their bounden duty to do all that they could to assist those in a less fortunate position. He hoped, therefore, that on all occasions they would do the utmost in their power to help those who had not been so successful as themselves.

The toast was drunk upstanding, with musical honours and three times three.

The CHAIRMAN returned thanks, and the proceedings terminated.

A selection of music, under the direction of Mr. Herbert Schartau, was admirably rendered by Mrs. Helen Trust and the "Schartau" Part-singers: Mr. Herbert Schartau, Mr. John Bartlett, Mr. Arthur Appleby, Mr. Wm. Bradford.

LEGAL NEWS.

APPOINTMENTS.

Mr. CYRIL DODD, Q.C., has been elected a Bencher of the Honourable Society of the Inner Temple, in succession to the late Judge Hughes.

Mr. ANDREW GRAHAM MURRAY, Lord Advocate for Scotland, has been admitted a Member of the Privy Council.

Mr. LAWRENCE COLVILE JACKSON, barrister, has been appointed Judicial Commissioner of the Protected Malay States.

CHANGE IN PARTNERSHIP.

DISSOLUTION.

EDEN ERSKINE GREVILLE and ALFRED FOSSICK, solicitors (Greville & Fossick), Maidenhead. March 16. The said Alfred Fossick will carry on the business on his own account. [*Gazette*, June 16.

GENERAL.

The present list of the House of Lords contains the names of fifteen causes, of which ten are English and five are Scotch appeals. There are no Irish appeals entered.

Several of her Majesty's judges dined together at the Ship, Greenwich, on Tuesday, the majority of them going by steamboat from the Temple Pier. Among those present at the dinner were Lord Russell of Killowen, Lord Esher, Lord Justice A. L. Smith, Sir Francis Jeune, Mr. Baron

Pollock, and Justices Cave, Chitty, North, Stirling, Wills, Collins, Gorell Barnes, Bruce, Kekewich, and Kennedy.

On Thursday Sir Richard Webster moved for an order for a *certiorari* removing into the High Court any indictment that might be found against Dr. Jameson and those connected with him. The court made the order asked for, and it was arranged that the trial should take place in the course of the week commencing the 20th of July. The Attorney-General intimated that he should demand a trial at bar if indictments should be found against the defendants.

On the 11th inst., in the House of Lords, the Earl of Ranfurly asked the Lord Chancellor why probate taken out in England should not be acted upon in Ireland, and why probate taken out in Ireland should not be acted upon in England; and whether the Lord Chancellor could see his way to recommend her Majesty's Government to make such an alteration in the law that persons owning property in both countries, being under one Sovereign and one Parliamentary Constitution, should not in future be subjected to the vexatious delays and unnecessary expenses occasioned by the existing system. He said that the matter pressed unduly hard on Ireland, for in 1894 the number of Irish probates proved in England was exactly double the number of English probates resealed in Ireland. Only the other day an Irish probate had to be resealed in England on account of there being a £1 share in some stores, and the cost of the operation was £10. The Lord Chancellor said he sent the noble lord's question to the Judge of the Probate Court, and his answer was certainly inconsistent with the experience of the noble lord. He writes: "I believe that the objection to Irish probates requiring resealing before they can be acted on in England is very small, and the difficulties connected with any other course practically insuperable. Last year the Irish grants resealed were 427. If the estate be under £500 the total expense is 2s. 6d. The expense is increased, but to no great extent, in larger estates. If resealing were not required no grant could be made in either country without a search in both countries to ascertain that no objection exists. Notice in every case must be sent to England from every Irish registry, and in England to every Irish registry. As the grants in England are between 50,000 and 60,000 a year, it is obvious what delay, expense, and probable errors this must occasion. I do not think that the present system could be improved, unless (which is, of course, impracticable) all the Irish registries were placed on the same footing as the English district registries, and subordinate to one principal registry."

Messrs. H. E. Foster & Cranfield held their monthly periodical property auction, at the Mart, E.C., on Wednesday last, when the following high prices were obtained: Freehold ground-rents of £72 per annum, secured on sixteen weekly houses, at Limehouse, sold for £1,955; No. 83, Crayford-road, Holloway, leasehold house, let at £40, sold for £340; No. 21, Hartham-road, Holloway, leasehold house, let at £46, sold for £460; No. 130, Loughborough Park, Brixton, short leasehold house, let at £36, sold for £280; Nos. 2 and 4, Charles-terrace, Mortlake, two leasehold private houses, let at £48 2s., sold for £255; four leasehold weekly houses, Nos. 16, 18, 20, and 22, Catlin-street, Rotherhithe, let at rents amounting to £135 4s., sold for £900; the total amount of the day's sale being £4,190. "Coombe Edge," Hampstead-heath, and builder's premises, No. 469, Caledonian-road, Islington, were not sold.

Messrs. H. E. Foster & Cranfield were again at the Mart on Thursday, when their 573rd extra periodical sale of reversions, life policies, &c., realized a total of £7,415. The following were some of the principal lots: Absolute reversion to valuable freehold and leasehold shops, and licensed premises, &c., situate in College-street, Fleet-street, Charlemont-street, and Harcourt-road, Dublin, receivable on decease of a gentleman aged 63, sold £1,750; absolute reversion to £1,482, sold £510; reversion to one-third of about £10,000 invested in railway stocks, &c., sold £880; mortgage debt of £991 payable on death of lady aged 66, sold £530; life policies in Star Life Office for £800, age 64, sold £570; life policy for £600 in English and Scottish Law Life Office, age 60, sold £260; life policy for £1,000 in Scottish Amicable Life Office, age 65, sold £890; life policy for £1,000 in North British Mercantile Office, life 65, sold £725; life policy for £1,000 in same office, life aged 68, sold £925; life policy for £500 in the Eagle Insurance Co., on same life, sold £380. The next periodical sale will take place on Thursday, July 2.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Appeal Court No. 2.	Mr. Justice Chitty.	Mr. Justice North.
Monday, June 22	Mr. Farmer	Mr. Ward	Mr. Beal
Tuesday 23	Rolt	Pemberton	Pugh
Wednesday 24	Farmer	Ward	Beal
Thursday 25	Rolt	Pemberton	Pugh
Friday 26	Farmer	Ward	Beal
Saturday 27	Rolt	Pemberton	Pugh
	Mr. Justice Stirling.	**Mr. Justice Kekewich.**	**Mr. Justice Romer.**
Monday, June 22	Mr. Leach	Mr. Jackson	Mr. Carrington
Tuesday 23	Godfrey	Clowes	Lavie
Wednesday 24	Leach	Jackson	Carrington
Thursday 25	Godfrey	Clowes	Lavie
Friday 26	Leach	Jackson	Carrington
Saturday 27	Godfrey	Clowes	Lavie

CIRCUITS OF THE JUDGES.

The following Judges will remain in Town:—POLLOCK, B., CHARLES, J., during the whole of the Circuits; the other Judges till their respective Commission Days.

NOTICE.—In cases where no note is appended to the names of the Circuit Towns both Civil and Criminal Business must be ready to be taken on the first working day; in other cases the note appended to the name of the Circuit Town indicates the day before which Civil Business will not be taken. In the case of Circuit Towns to which two Judges go there will be no alteration in the old practice.

SUMMER ASSIZES, 1896.	N. Eastern.	Oxford.	Midland.	S. Eastern.	Northern.	Home.	Western.	N. Wales, Chester, and Glamorgan.	S. Wales and Chester.
Commission Days.	L. C. J. of England, Bruce, J.	Hawkins, J. Collins, J.	Wills, J. Grantham, J.	Mathew, J.	Cave, J. Kennedy, J.	Day, J.	Lawrance, J.	Vaughan Williams, J.	Wright, J.
Thursday, May 28				Huntingdon		Maidstone	Salisbury	Newtown	
Friday " 29				Cambridge					
Saturday " 30				Tues., June 2				Dolgelly	Haverfordwest
Monday, June 1							Dorchester	Carnarvon	Lampeter
Tuesday " 2				B. S. Edmunds					Carmarthen
Wednesday " 3				Monday 8			Wells	Beaumaris	Brecon
Thursday " 4							Wednesday 10	Ruthin	
Saturday " 6						Guildford			
Monday " 8				Norwich				Mold	Presteign
Tuesday " 9				Monday 15			Bodmin		
Wednesday " 10									Chester 2
Thursday " 11							Exeter 2		
Friday " 12									
Saturday " 13			Aylesbury						
Monday " 15		Reading						Swansea 2	
Tuesday " 16			Bedford	Chelmsford					
Thursday " 18				Monday 22					
Friday " 19		Oxford	Sat., June 20						
Monday " 22			Northampton						
Tuesday " 23		Worcester	Wednes. 24				Winchester 2		
Wednesday " 24									
Thursday " 25				Hertford					
Friday " 26									
Monday " 29			Leicester	Lewes	Appleby				
Wed., July 1		Cheltenham	Monday 29	Thurs., July 2	Carlisle				
Thursday " 2						Bristol 2			
Friday " 3			Oakham						
Monday " 6		Monmouth	Lincoln		Lancaster				
Tuesday " 7	Newcastle 2		Monday 6		Manchester 2				
Wednesday " 8						(End)			
Thursday " 9		Hereford	Derby	(End)					
Friday " 10			Monday 13						
Monday " 13	Durham 2								
Tuesday " 14		Shrewsbury							
Friday " 17			Nottingham 2						
Monday " 20	York 2								
Tuesday " 21		Stafford 2							
Wednesday " 22			Warwick						
Saturday " 25	Leeds 2				Liverpool 2				
Tuesday " 28			Birmingham 2						
Wed., Aug. 12	(End)		(End)		(End)				

WINDING UP NOTICES.

London Gazette.—FRIDAY, June 12.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

JAMES ANDERSON & SON, LIMITED—Petn for winding up, presented June 6, directed to be heard on June 22. Trass & Jarmain, 25, Coleman st, agents for Taylor, Barrow-in-Furness, solor for petner. Notice of appearing must reach the above-named Trass & Jarmain not later than 2 o'clock in the afternoon of June 20

JOSEPH WESTWOOD & CO, LIMITED—By an order made by Vaughan Williams, J., dated May 13, it was ordered that the voluntary winding up be continued. Graham, 27 Chancery lane, solor for petitioning creditors

LIMERICK BREWERY CO, LIMITED—Petn for winding up, presented June 10, directed to be heard on Monday, June 22. Spreat, 27, Nicholas lane, Lombard st, solor for petner. Notice of appearing must reach the above-named not later than 2 o'clock in the afternoon of June 20

FRIENDLY SOCIETY DISSOLVED.

SOUTHWARK UNITED BROTHERS BENEFIT SOCIETY, George Tavern, Gravel lane, Southwark. June 3

CANCELLING WITHDRAWN.

ALL SAINTS, POPLAR, MUTUAL BENEFIT BUILDING SOCIETY, East India Dock rd. Cancelling order of Nov 13, 1895, withdrawn

London Gazette.—TUESDAY, June 16.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BARFF & CO, LIMITED—Petn for winding up, presented June 13, directed to be heard on June 29. Tubbs, 68, Aldersgate st, solor for petners. Notice of appearing must reach the above-named not later than 2 o'clock in the afternoon of June 27

CAMDEN SYNDICATE, LIMITED—Creditors are requested, on or before July 9, to send their names and addresses, and particulars of their debts or claims, to C. Talbot Rotheram and Joseph Gurney Fowler, Billiter sq bldgs. Ince & Co, St Bene't chmbrs, Fenchurch st, solors for liquidators

JOSEPH WESTWOOD & CO, LIMITED—Creditors are required, on or before July 8, to send their names and addresses, and particulars of their debts or claims, to Horace Woodburn Kirby, 19, Birchin lane. Thursday, July 16, at 12, at the offices of the Registrar (Companies Winding-up), is appointed for hearing and adjudicating upon the debts and claims

UNIQUIA, THE UNIVERSAL SPORTS AND RECREATION SOCIETY, LIMITED—Petn for winding up, presented June 12, directed to be heard on June 29. Simpson & Cullingford, 85, Gracechurch st, solors for petners. Notice of appearing must reach the above-named not later than 2 o'clock in the afternoon of June 27

FRIENDLY SOCIETY DISSOLVED.

WESLEYAN METHODIST BENEFIT FRIENDLY SOCIETY, Vestry Room adjoining Wesleyan Methodist Chapel, Brandon, Suffolk. May 27

CREDITORS' NOTICES.

UNDER ESTATES IN CHANCERY.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, June 12.

JONES, ROBERT CORBET, Shrewsbury, Gent July 10 Weaver v Carsley, North, J Giles, Ellesmere, Salop

STIRRUP, THOMAS, Leigh, Lancs, Gent July 10 Stirrup v Stirrup, Registrar, Manchester Calvert, Leigh

WILLIAMS, MILES, Wigan, Lancs July 15 Oppenheim & Malkin v Williams, Registrar, Liverpool Forshaw, Liverpool

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, June 12.

RECEIVING ORDERS.

APPLEWHAITE, HENRY CHURCHILL, Piccadilly High Court Pet May 2 Ord June 9

BALKWILL, JAMES HORNE, Lutton Cornwood, Devon, Provision Merchant Plymouth Pet June 8 Ord June 8

BALL, HARRY DOUGHTY, Handsworth, Draper Birmingham Pet June 9 Ord June 9

BENHAM, ELLEN MARY, Landport Portsmouth Pet June 9 Ord June 9

BROWN, THOMAS GODFREY, Bolton, Engine Tenter Bolton Pet June 8 Ord June 8

BROWN, WILLIAM, Bow, Dairyman High Court Pet May 15 Ord June 9

CHAWTIN, HENRY JOHN, Gt Saffron hill, Licensed Victualler High Court Pet May 5 Ord June 8

CREW, ZACHARIAS, Accrington, Painter Blackburn Pet June 8 Ord June 8

CLEGG, WILLIAM, Westmorland, Stationmaster Kendal Pet June 10 Ord June 10

CLIFT, THOMAS FREDERICK, Witton, Birmingham, Coal Merchant Birmingham Pet June 10 Ord June 10

CROSS, HENRY, sen, Buckland Newton, Dorset Dorchester Pet June 10 Ord June 10

DUNCAN, JOHN, Treherbert, Glam, Weigher Pontypridd Pet June 9 Ord June 9

FICKLING, FREDERICK, Burton-on-Trent, Cooper Burton on Trent Pet June 10 Ord June 10

GILBERT, GEORGE FREDERICK, and LEWIS REEVES, Cardiff, Builders Cardiff Pet June 9 Ord June 9

GILMOUR, ALEXANDER, Leeds, Business Agent Leeds Pet June 9 Ord June 9

GRAHAM, ROBERT HENRY REYNOLDS, Bristol, Greengrocer Bristol Pet June 10 Ord June 10

HANDISIDES, WILLIAM, Middlesborough, Commission Agent Stockton on Tees Pet June 6 Ord June 6

HARVEY, JOHN EDEN, Redruth, Cornwall Saddler Truro Pet June 10 Ord June 10

HODGSON, GEORGE EDWARD, Pilsley, Derby, Farmer Derby Pet June 8 Ord June 8

JAMES, THOMAS, the younger, Midsomer Norton, Somerset, Builder Wells Pet June 9 Ord June 9

JOHNSON, BEN, Dewsbury, Yorks, Ironmonger Dewsbury Pet June 9 Ord June 9

JOWETT, WILLIAM, Sheffield, Butcher Sheffield Pet June 10 Ord June 10

KENTON, AGNES, Darlington, Costumier Stockton on Tees Pet May 22 Ord June 3

KING, WILLIAM BUSHELL, Gravesend, Commission Agent Rochester Pet June 9 Ord June 9

LESSETT, CHARLES, and FRANK GALE, Oldham, Coal Merchants Oldham Pet June 3 Ord June 3

LORD, WILLIAM CRANE, Nuneaton Coventry Pet May 27 Ord June 10

MALLETT, ROBERT THOMAS, Leighton Buzzard, Grocer Luton Pet June 9 Ord June 9

MARCHANT, THOMAS, St Leonards, Sussex, Cycle Manufacturer Hastings Pet June 4 Ord June 9

MURTAGH, HUGH, Burnley, Jeweller Burnley Pet June 10 Ord June 10

NESBITT, GEORGE THOMAS, Gateshead Newcastle on Tyne Pet June 9 Ord June 9

PADFIELD, JOHN, Blaenavon, Mon, Grocer Tredegar Pet June 8 Ord June 8

PAYETER, ANDREW RICHARD, Liverpool, Emigration Agent Liverpool Pet May 6 Ord June 8

PEARSE, GEORGE EDGAR HOPE, Chipstead, Surrey High Court Pet May 19 Ord June 10

PEEL, HAROLD S, Manchester Manchester Pet May 12 Ord June 8

REES, GRIFFITH, Aberavon, Glam, Draper Neath Pet June 9 Ord June 9

RIDEHALGH, ROBERT, Colne, Lancs, Joiner Burnley Pet June 9 Ord June 9

RICHARDSON, JOHN FOSTER MARRIOTT, Ashfield, Yorks, Solicitor Scarborough Pet May 1 Ord June

RING, DOUGLAS HOOPER, Levens, Westmrld Kendal Pet June 8 Ord June 8

ROBERTS, JOSEPH, Lymm, Cheshire, Engineer's Draughtsman Warrington Pet June 10 Ord June 10

ROBINSON, JAMES, Ulverston, Lancs, Surgeon Ulverston Pet June 9 Ord June 9

ROSTANT, ANDRE ARSENE, Barking, Surgeon's Assistant Chelmsford Pet June 4 Ord June 4

SCHULTZ, HEINERICH WILHELM CARL, North Shields Newcastle on Tyne Pet June 8 Ord June 8

SIARRY, WILLIAM HOWARD, Aylesbury, Contractor Aylesbury Pet June 8 Ord June 8

SMITH, HENRY, Kingston upon Hull, Grocer Kingston upon Hull Pet June 5 Ord June 6

SMITH, THOMAS LANGFORD, Sulhampstead, nr Reading, Miller Reading Pet May 21 Ord June 6

SPILL, ROBERT, Sheffield Sheffield Pet June 8 Ord June 8

STANTON, WILLIAM, Cranleigh, Surrey, Builder Guildford Pet June 10 Ord June 10

STODDART, WILLIAM, Sheffield, Saw Hardener Sheffield Pet June 10 Ord June 10

STRONGMAN, WILLIAM JAMES, Plymouth, Tobacconist Plymouth Pet June 8 Ord June 8

TALMAN, GEORGE, Newport, I of W, Baker Newport Pet June 4 Ord June 4

TOMLIN, WILLIAM HENRY, and HERMAN BOWMAN, Calverley, Yorks, Printers Bradford Pet June 6 Ord June 6

WALKER, JOSEPH, Moseley, Gardener Birmingham Pet June 8 Ord June 8

WEBB, JOHN PIGOTT, Wordsley, Staffs, Carpenter Stourbridge Pet June 5 Ord June 5

WELLS, FRANK FENELON, and CHARLES JOSEPH WELLS, Gospel Oak, Timber Merchants High Court Pet June 9 Ord June 9

WORRALL, GEORGE, Moss Side, nr Manchester, Rope Merchant Salford Pet May 22 Ord June 9

WORSTALL, THOMAS, Hartshorne, Derby, Farmer Burton on Trent Pet June 8 Ord June 8

WRAGG, ANNIE JANE, Sheffield, Dressmaker Sheffield Pet June 9 Ord June 9

YOUNG, ARTHUR I, Freshwater Bay, I of W High Court Pet Feb 4 Ord June 4

Amended notice substituted for that published in the London Gazette of April 10:

DODDS, ALEXANDER MELROSE, Keswick, Cumberland Saddler Cockermouth Pet Mar 17 Ord April 6

Amended notice substituted for that published in the London Gazette of May 12:

WIESE, CARL, Newcastle on Tyne, Merchant Newcastle on Tyne Pet May 9 Ord May 9

Amended notice substituted for that published in the London Gazette of May 19:

BURROWS, JAMES HENRY, and AUGUSTA MARY BURROWS, Horley, Surrey, Millers Croydon Pet April 25 Ord May 12

RECEIVING ORDER RESCINDED.

STRATFORD, JOHN D'ALBINI, Southsea, Captain Portsmouth Rec Ord Jan 29, 1896 Resc Feb 26

FIRST MEETINGS.

APPLETON, WALTER QUARTON, Harswell, Yorks, Farmer June 22 at 12.30 Off Rec, 28, Stonegate, York

ATKINSON, ANNIE ELIZABETH, Leeds, Shopkeeper June 22 at 11 Off Rec, 22, Park row, Leeds

ATKINSON, GEORGE KILVINGTON, Gt Grimsby, Confectioner June 20 at 11 Off Rec, 15, Osborne st, Gt Grimsby

BAILEY, RICHARD AARON, Southampton, Marine Engineer June 19 at 11.30 Off Rec, 4, East st, Southampton

BROWN, THOMAS GODFREY, Bolton, Engine Tenter June 26 at 10.30 16, Wood st, Bolton

DREW, JOHN WILLIAM, Plymouth, Ironmonger June 20 at 10 10, Athenæum ter, Plymouth

DUNCAN, HERBERT LUDDINGTON, Kingston upon Hull, Tobacconist June 20 at 10.30 Off Rec, Trinity House lane, Hull

GARLICK, JOHN, Warrington, Furniture Manufacturer June 19 at 11.5 Court House, Upper Bank st, Warrington

GREENER, GEORGE, Ryton on Tyne, Contractor June 20 at 11.30 Off Rec, 30, Mosley st, Newcastle on Tyne

GREENWOOD, ORLANDO WHITE, Armley, Leeds June 19 at 3 Off Rec, 22, Park row, Leeds

HAIGH, CHARLES WILLIAM, Newark, Notts, Solicitor June 19 at 12 Off Rec, St Peter's Church walk, Nottingham

HALL, SARAH, South Shields, Schoolmistress June 19 at 3 Off Rec, 25, John st, Sutherland

HILL, THOMAS THOMPSON, Durham, Chainmaker June 19 at 4.30 Three Tuns Hotel, Durham

HODGSON, GEORGE EDWARD, Pilsley, Derby, Farmer June 22 at 11.30 Off Rec, 40, St Mary's gate, Derby

JONES, DANIEL HENRY, Llandilo, Carmarthen, Builder June 20 at 12.15 Off Rec, 4, Queen st, Carmarthen

JONES, JOHN, West Gorton, Manchester, Letterpress Printer June 24 at 2.30 Ogden's chmbrs, Bridge st, Manchester

LEAK, JOSEPH, Kendal, Fish Hawker June 20 at 11.30 Grosvenor Hotel, Stramongate, Kendal

LUCAS, ALBERT, Ossett, Yorks, Plumber June 19 at 3 Off Rec, Bank chmbrs, Batley

MCQUADE, JAMES, Fisher Yarn, Kendal June 20 at 11 Grosvenor Hotel, Stramongate, Kendal

MILLER, WILLIAM JOHN, Egremont, Cheshire, Tailor June 24 at 12 Off Rec, 35, Victoria st, Liverpool

MORRIS, GEORGE JAMES, Treslaw, Glam, General Dealer June 23 at 12 65, High st, Merthyr Tydfil

MURRELL, CECIL HARRY FREDERICK, Cardiff, Shipowner June 23 at 11 Off Rec, 29, Queen st, Cardiff

PALK, FREDERICK GEORGE, Paignton, Devon, Butcher June 20 at 11 10, Athenæum ter, Plymouth

ROSSER, WILLIAM, Port Talbot, Glam June 19 at 11.45 Crypt chmbrs, Eastgate row, Chester

SAGE, JOHN, Coventry, Cab Proprietor June 19 at 12 Off Rec, 17, Hertford st, Coventry

SCAMMELL, GEORGE MARSHALL, West Plymouth, Photographer June 20 at 11.30 10, Athenæum ter, Plymouth

TOMLIN, WILLIAM HENRY, and HERMAN BOWMAN, Calverley, Yorks, Printers June 22 at 11 Off Rec, 31, Manor row, Bradford

VAUGHAN, RICHARD, Leeds, Drysalter June 19 at 11 Off Rec, 22, Park row, Leeds

WELCHMAN, MARY, Shepherd's Bush rd June 19 at 2.3 Bankruptcy bldgs, Carey st

WELLS, FRANK FENELON, and CHARLES JOSEPH WELLS, Gospel Oak, Timber Merchants June 19 at 12 Bankruptcy bldgs, Carey st

WILLIAMS, J P, Trebanog, Porth, Glam, Colliery Manager June 19 at 12 65, High st, Merthyr Tydfil

WILLIAMS, WILLIAM, Llangollen, Denbigh, Builder June 19 at 3 Priory, Wrexham

WORSTALL, THOMAS, Hartshorne, Derby, Farmer June 22, at 3 Midland Hotel, Station st, Burton on Trent

ADJUDICATIONS.

BALKWILL, JAMES HORNE, Lutton Cornwood, Devon, Provision Merchant Plymouth Pet June 8 Ord June 8

BENHAM, ELLEN MARY, Landport Portsmouth Pet June 8 Ord June 9

BLUHM, QUENTIN THEODORE, Higher Broughton, Stock Broker Salford Pet May 18 Ord June 9

BROWN, THOMAS GODFREY, Bolton, Engine Tenter Bolton Pet June 8 Ord June 8

CREW, ZACHARIAS, Accrington, Painter Blackburn Pet June 8 Ord June 8

CLEGG, WILLIAM, Westmrld, Station Master Kendal Pet June 10 Ord June 10

CROSS, HENRY, senr, Buckland Newton Dorchester Pet June 9 Ord June 10

DUNCAN, HERBERT LUDDINGTON, Kingston upon Hull Tobacconist Kingston upon Hull Pet May 16 Ord June 10

FICKLING, FREDERICK, Burton on Trent Burton on Trent Pet June 10 Ord June 10

FORD, THOMAS MURRAY, Bouverie st High Court Pet May 21 Ord June 9

GILMOUR, ALEXANDER, Leeds, Business Agent Leeds Pet June 9 Ord June 9

GILBERT, GEORGE FREDERICK, and LEWIS REEVES, Cardiff, Builders Cardiff Pet June 9 Ord June 9

GODDEN, EDWARD, South Darenth, Kent, Miller Rochester Pet May 20 Ord June 8

HANDISIDES, WILLIAM, Middlesborough, Commission Ag n Stockton on Tees Pet June 6 Ord June 6

HARVEY, JOHN EDEN, Redruth, Cornwall, Saddler Truro Pet June 9 Ord June 10

HERN, WILLIAM HENRY, Spring st, Hyde Park, Chemist High Court Pet May 26 Ord June 10
HODGSON, GEORGE EDWARD, Pilsley, Derbys, Farmer Derby Pet June 6 Ord June 8
HODGKINSON, HERBERT DENNIS, Mansfield, Cycle Manufacturer Chesterfield Pet May 1 Ord June 10
JAMES, THOMAS, jun, Midsomer Norton, Somersets, Builder Wells Pet June 9 Ord June 9
JOHNSON, BEN, Dewsbury, Ironmonger Dewsbury Pet June 8 Ord June 9
JOWETT, WILLIAM, Sheffield, Butcher Sheffield Pet June 9 Ord June 10
KING, WILLIAM BUSHELL, Gravesend, Commission Agent Rochester Pet June 9 Ord June 9
LEIGH, EDMUND WILLIAM, Cobridge, Staffs, Machinist Hanley, Burslem, and Tunstall Pet June 4 Ord June 8
LEWIS, M J, Swansea, Draper Swansea Pet May 16 Ord June 6
LUSSAN, ALFRED, Paris High Court Pet March 17 Ord June 10
MALLETT, ROBERT THOMAS, Leighton Buzzard, Grocer Luton Pet June 9 Ord June 9
MURRELL, CECIL HARRY FREDERICK, Cardiff, Shipowner Cardiff Pet April 28 Ord June 10
NESBITT, GEORGE THOMAS, Gateshead Newcastle on Tyne Pet June 9 Ord June 9
NEWMAN, ARTHUR ALBERT, Bournemouth, Cabdriver Poole Pet May 30 Ord June 9
OWEN, EVAN, Liverpool, Provision Merchant High Court Pet May 13 Ord June 10
PADFIELD, JOHN, Blaenavon, Mon, Grocer Tredegar Pet June 8 Ord June 8
PAYNTER, ANDREW RICHARD, Liverpool, Emigration Agent Liverpool Pet May 6 Ord June 8
REES, GRIFFITH, Aberavon, Glam, Draper Neath Pet June 9 Ord June 9
RIDEHALGH, ROBERT, Colne, Lancs, Joiner Burnley Pet June 9 Ord June 9
RING, DOUGLAS HOOPER, Westmorland Kendal Pet June 8 Ord June 8
ROBERTS, JOSEPH, Lymm, Cheshire, Engineer's Draughtsman Warrington Pet June 10 Ord June 10
ROSTANT, ANDRE ARSENE, Barking, Essex, Surgeon's Assistant Chelmsford Pet June 4 Ord June 4
SALT, WILLIAM STROBS, Leicester, Draper Leicester Pet April 28 Ord June 6
SAWYER, HENRY ASHTON, Hammersmith, Clerk High Court Pet April 29 Ord June 10
SCHULTZ, HEINERICH WILHELM CARL, North Shields Newcastle on Tyne Pet June 8 Ord June 8
SEARET, WILLIAM HOWARD, Aylesbury, Contractor Aylesbury Pet June 8 Ord June 8
SMITH, HENRY, Kingston upon Hull, Grocer Kingston upon Hull Pet June 5 Ord June 6
SPILL, ROBERT, Sheffield Sheffield Pet June 8 Ord June 8
STEPHENSON, WILLIAM HENRY, Bournemouth, Furniture Dealer Poole Pet May 29 Ord June 8
STODDART, WILLIAM, Sheffield, Saw Hardener Sheffield Pet June 10 Ord June 10
STRONGMAN, WILLIAM JAMES, Plymouth, Tobacconist Plymouth Pet June 8 Ord June 8
TALMAN, GEORGE, Newport, I W, Baker Newport Pet June 4 Ord June 4
WALL, RICHARD, Wirksworth, Derbys, Woolstapler Derby Pet May 8 Ord June 8
WEBB, JOHN PIGOTT, Wordsley, Staffs, Carpenter Stourbridge Pet June 5 Ord June 5
WORSTALL, THOMAS, Hartshorne, Derbys, Farmer Burton on Trent Pet June 8 Ord June 8
WRAGG, ANNIE JANE, Sheffield, Dressmaker Sheffield Pet June 9 Ord June 9

Amended notice substituted for that published in the London Gazette of April 14:

DODDS, ALEXANDER MELROSE, Keswick, Cumbrid, Saddler Cockermouth Pet March 17 Ord April 10

Amended notice substituted for that published in the London Gazette of May 12:

WIESE, CARL, Newcastle on Tyne, Merchant Newcastle on Tyne Pet May 9 Ord May 9

ADJUDICATION ANNULLED.

AVIES, ROBERT, Putney Bridge rd, Builder Wandsworth Adjud Dec 21, 1895 Annul June 4, 1896

London Gazette.—TUESDAY, June 16.

RECEIVING ORDERS.

ALLNATT, RICHARD WILLIAM, New Swindon, Wilts Swindon Pet June 11 Ord June 11
ANDERSON, ANDREW, Carnarvon, Master Mariner Bangor Pet June 11 Ord June 11
BALDWIN, ALFRED, Neath, Glam, Grocer Neath Pet June 11 Ord June 11
BARKER, HENRY, and CHRISTOPHER BARTON, Winsford, Cheshire, Builders Nantwich Pet June 12 Ord June 12
BARNES, WILLIAM CORNELIUS, Landport, Hants, Furniture Dealer Portsmouth Pet June 12 Ord June 12
BELLINGHAM, O'BRIEN CAIRNES, Putney, Omnibus Driver Wandsworth Pet June 10 Ord June 10
BOOTY, ALFRED BURY, Harrogate, Yorks, Art Florist York Pet June 12 Ord June 12
BOULTON, HENRY, Sheffield, Meat Salesman Sheffield Pet June 11 Ord June 11
BRIGHOUSE, SAMUEL, Derby Derby Pet June 12 Ord June 12
CAWTE, PERCY EDWIN HENRY, Pokesdown, Hants Winchester Pet June 12 Ord June 12
CLEAVER, GEORGE COCKRILL, Reading, Berks, Auctioneer Reading Pet June 12 Ord June 12
COLLSON, WALTER, Leeds, Stockbroker Leeds Pet Feb 10 Ord June 11
ELBOURNE, FREDERICK ARTHUR, Broadstairs, Kent, Grocer Canterbury Pet June 12 Ord June 12
EWENS, ALBERT, East Liss, Hants, Dealer Portsmouth Pet May 20 Ord June 10
FISHER, WILLIAM, Rochdale, Butcher Rochdale Pet June 8 Ord June 11
GILL BROTHERS, Bishopsgate st Without, Builders High Court Pet March 24 Ord June 12
HARRIS, CHARLES WILLIAM, Golden lane High Court Pet June 13 Ord June 13
HAWKINS, JOHN, Abchurch lane, Wine Merchant High Court Pet May 19 Ord June 12
HILL, JOHN ALFRED, Sparkhill, Worcester, Builder Birmingham Pet June 12 Ord June 12
HOLLINS, HENRY, Colwich, Staffs, Farmer Stafford Pet June 13 Ord June 13
HORNER, WILLIAM HENRY, Bognor, Coachbuilder Brighton Pet June 13 Ord June 13
JENKINS, WILLIAM, Laleston, Glam, Mason Cardiff Pet June 11 Ord June 11
JONES, GEORGE, Salford, Lancs, Joiner Salford Pet June 11 Ord June 12
KIRK, SAMUEL WILLIAM, Wroughton, Wilts Swindon Pet June 13 Ord June 13
MASH, JAMES, Kew gdns, Builder Wandsworth Pet May 8 Ord June 11
MEREDITH, BENJAMIN SMITH, Godalming, Surrey, Ironmonger Guildford Pet June 13 Ord June 13
REED, STEPHEN, Aberdare, Glam, Travelling Draper Aberdare Pet June 1 Ord June 11
RICHARDS, GEORGE, Gt Grimsby, Labourer Gt Grimsby Pet June 11 Ord June 11
ROBINSON, JOHN, Stone, Staffs, Farmer Stafford Pet June 11 Ord June 11
RUMSEY, GEORGE HENRY, Folkestone, Baker Canterbury Pet June 11 Ord June 11
SENIOR, JOSEPH WILLIAM, Barnsley, Yorks, Chemist Barnsley Pet June 12 Ord June 12
SIMMONS, WALTER GILES, Winchester Winchester Pet June 11 Ord June 11
STACEY, HARRY, Treharris, Glam, Baker Merthyr Tydfil Pet June 12 Ord June 12
SWAN, FRANK LOVELL, Cardiff, Colliery Agent Cardiff Pet June 11 Ord June 11
TALKS, EDWARD, Rochdale, Coal Dealer Rochdale Pet June 12 Ord June 12
TAYLOR, THOMAS, Cleveland st, Fitzroy sq, Dairyman High Court Pet May 19 Ord June 11
TOWNSEND, ERNEST, Claverdon, Warwicks, Groom Warwick Pet June 8 Ord June 8
TURNER, JOSEPH, Bridgwater, Beerhouse Keeper Bridgwater Pet June 13 Ord June 13
WESTON, JAMES, Bradley Green, Staffs, Commission Agent Macclesfield Pet June 2 Ord June 13
WILSON, BENJAMIN, Birstall, Yorks, Woollen Manufacturer Dewsbury Pet June 2 Ord June 12
WOODWARD, GEORGE, Gosport, Grocer Portsmouth Pet June 11 Ord June 11
WRIGHT, MARY, Lydbury North, Salop, Shopkeeper Leominster Pet June 12 Ord June 12
WRIGHT, CHARLES, and WILLIAM WRIGHT, Chesham, Bucks, China Dealers Aylesbury Pet June 11 Ord June 11
WYNTER, ARTHUR LEYCESTER, South Kensington High Court Pet April 16 Ord June 11
YOUNG, SUSAN MARY, New Brompton, Grocer Rochester Pet June 11 Ord June 11

Amended notice substituted for that published in the London Gazette of June 5:

GARLICK, JOHN, Warrington, Furniture Manufacturer Warrington Pet May 16 Ord June 1

FIRST MEETINGS.

ARTHUR, GEORGE, Kentish Town, Builder June 23 at 2.30 Bankruptcy bldgs, Carey st
ASHTON, JOHN WORTH, Whitby, Yorks June 26 at 12 23, Colmore row, Birmingham
BAKER, CHARLES, South Kensington June 26 at 12 Bankruptcy bldgs, Carey st
BARNES, GEORGE HENRY, and ALBERT THOMAS BARNES, Birmingham, Chandelier Manufacturers June 25 at 11 23, Colmore row, Birmingham
BALL, HARRY DOUGHTY, Handsworth, Staffs, Draper June 24 at 11 23, Colmore row, Birmingham
BOOTY, ALFRED BURY, Harrogate, Yorks, Art Florist June 25 at 12.30 Off Rec, 28, Stonegate, York
BROWN, EDGAR HARRISON ROBERT, Hatton grdn, Clerk June 23 at 11 Bankruptcy bldgs, Carey st
CHILDS, JAMES, Kingsland, Builder June 23 at 12 Bankruptcy bldgs, Carey st
FICKLING, FREDERICK, Winshill, Derbys, Cooper June 24 at 3 Midland Hotel, Station st, Burton on Trent
FISHER, WILLIAM, Rochdale, Butcher June 24 at 2.15 Townhall, Rochdale
FROST, CHARLES ALFRED, Nottingham, Lace Manufacturer June 23 at 12 Off Rec, St Peter's Church walk, Nottingham
GARLICK, THOMAS GEORGE, Port Talbot, Glam, Cattle Dealer June 23 at 12 Off Rec, 31, Alexandra rd, Swansea
GRAHAM, ROBERT HENRY REYNOLDS, Kingsdown, Bristol, Greengrocer June 24 at 12 Off Rec, Bank chmbrs, Corn st, Bristol
HARRISON, JAMES WHITE, Philpot lane June 23 at 2.30 Bankruptcy bldgs, Carey st
HARVEY, JOHN EDEN, Redruth, Cornwall, Saddler June 25 at 12 Off Rec, Boscawen st, Truro
HOLLOWAY, PHILIP JAMES, Minehead, Somerset, Grocer June 23 12.15 The George & Railway Hotel, Victoria st, Bristol
HUNTER, T, Haymarket June 23 at 12 Bankruptcy bldgs Carey st
JAMES, THOMAS, Jnr, Midsomer Norton, Somerset, Builder June 24 at 12.30 Off Rec, Bank chmbrs, Corn st, Bristol
JEFFERIES, G E, South Tottenham, Builder June 23 at 3 88, Temple chmbrs, Temple avnue
JOHNSON, BEN, Dewsbury, Yorks, Ironmonger June 23 at 3 Off Rec, Bank chmbrs, Batley
JONES, GEORGE, Salford, Lancs, Joiner June 24 at 3.15 Ogden's chmbrs, Bridge st, Manchester
JOWETT, WILLIAM, Sheffield, Butcher June 26 at 2 Off Rec, Figtree ln, Sheffield
KENTON, AGNES, Darlington, Milliner June 24 at 11 Off Rec, 8, Albert rd, Middlesborough
KING, WILLIAM BUSHELL, Gravesend, Kent, Commission Agent July 13 at 11 115, High st, Rochester
LEIGH, EDMUND WILLIAM, Cobridge, Staffs, Machinist June 23 at 1 Townhall, Hanley
LISSETT, CHARLES, and FRANK GALE, Oldham, Coal Merchants June 23 at 3.30 Off Rec, 97, Bridge st, Manchester
MACBEAN, A W, Highgate, Builder June 24 at 2.30 Bankruptcy bldgs, Carey st
MACLAURIN, DANIEL, Walthamstow June 24 at 12 Bankruptcy bldgs, Carey st
MURTAGH, HUGH, Burnley, Lancs, Jeweller June 25 at 1.30 Exchange Hotel, Nicholas st, Burnley
NESBITT, GEORGE THOMAS, Gateshead June 29 at 11 Off Rec, 30, Mosley st, Newcastle on Tyne
NEVITT, HERBERT, Stapeley, Nantwich, Brick Manufacturer June 26 at 2.30 Royal Hotel, Crewe
NEWMAN, ARTHUR ALBERT, Bournemouth, Cabdriver June 23 at 12.30 Off Rec, Salisbury
PREECE, THOMAS, Bath, Draper June 24 at 1 Off Rec, Bank chmbrs, Corn st, Bristol
REES, GRIFFITH, Aberavon, Glam, Draper June 23 at 11 Off Rec, Ogden's chmbrs, Bridge st, Manchester
RIDEHALGH, ROBERT, Colne, Lancs, Joiner June 24 at 3.15 Crown Hotel, Colne
ROBERTS, JOSEPH, Lymm, Cheshire, Engineer's Draughtsman June 24 at 3.30 Ogden's chmbrs, Bridge st, Manchester
SAWYER, HENRY ASHTON, Hammersmith, Clerk June 24 at 11 Bankruptcy bldgs, Carey st
SEARET, WILLIAM HOWARD, Aylesbury, Contractor June 23 at 12 Bankruptcy Office, Oxford
SMITH, HENRY, Kingston upon Hull, Grocer June 24 at 11 Off Rec, Trinity House lane, Hull
STORRY, HENRY, Sunderland, Bank Manager June 24 at 1 Off Rec, 25, John st, Sunderland
TAYLOR, GEORGE W, Arundel st, Piccadilly June 24 at 11.30 24, Railway app, London Bridge
THOMAS, JOHN, Pontypridd, Innkeeper June 25 at 12 65, High st, Merthyr Tydfil
THOMAS, MARY, Tonypandy, Glam, Grocer June 25 at 3 65, High st, Merthyr Tydfil
VANN, JOHN, Cardiff June 25 at 11 Off Rec, 29, Queen st, Cardiff
WALKER, JOSEPH, Moseley, Gardener June 26 at 11 23, Colmore row, Birmingham
WATSON, THOMAS, West Hartlepool, Clerk June 23 at 3 Royal Hotel, West Hartlepool
WESTGARTH, JOHN DAVIDSON, Normanby, Yorks, Painter July 1 at 3 Off Rec, 8, Albert rd, Middlesborough
WILLIAMS, JENKIN, Trealaw, Glam, Licensed Victualler June 23 at 3 65, High st, Merthyr Tydfil
WORRALL, GEORGE, Moss Side, nr Manchester, Rope Merchant June 24 at 3 Ogden's chmbrs, Bridge st, Manchester
YOUNG, SUSAN MARY, New Brompton, Grocer July 13 at 11.30 115, High st, Rochester

ADJUDICATIONS.

ALLNATT, RICHARD WILLIAM, New Swindon, Wilts Swindon Pet June 11 Ord June 11
ANDERSON, ANDREW, Carnarvon, Master Mariner Bangor Pet April 27 Ord June 11
BALDWIN, ALFRED, Neath, Glam, Grocer Neath Pet June 11 Ord June 11
BARKER, HENRY, and CHRISTOPHER BARTON, Winsford, Cheshire, Builders Nantwich Pet June 12 Ord June 12
BARNES, WILLIAM CORNELIUS, Landport, Hants, Furniture Dealer Portsmouth Pet June 12 Ord June 12
BELLINGHAM, O'BRIEN CAIRNES, Putney, Omnibus Driver Wandsworth Pet June 10 Ord June 10
BOULTON, HENRY, Sheffield, Meat Salesman Sheffield Pet June 11 Ord June 11
BRIGHOUSE, SAMUEL, Derby Derby Pet June 11 Ord June 12
CAWTE, PERCY EDWIN HENRY, Pokesdown, Hants Winchester Pet June 10 Ord June 12
CHATWIN, HENRY JOHN, Gt Saffron hill, Licensed Victualler High Court Pet May 5 Ord June 11
CLEAVER, GEORGE COCKRILL, Reading, Berks, Auctioneer Reading Pet June 12 Ord June 12
ELBOURNE, FREDERICK ARTHUR, Broadstairs, Kent, Grocer Canterbury Pet June 12 Ord June 12
ENRIGHT, ROBERT ALFRED, Stoke Newington, Auctioneer Edmonton Pet March 6 Ord June 12
HASTINGS, ALFRED GARDINER, New Cavendish st, Portland pl High Court Pet Jan 27 Ord June 12
HINSON, EDWIN PENDRED, Weymouth, Tailor Dorchester Pet May 29 Ord June 11
HOLLINS, HENRY, Colwich, Staffs, Farmer Stafford Pet June 13 Ord June 13
JENKINS, WILLIAM, Brigend, Glam, Mason Cardiff Pet June 11 Ord June 11
KIRK, SAMUEL WILLIAM, New Swindon, Wilts, Manufacturer Swindon Pet June 13 Ord June 13
MITCHELL, JOHN WILLIAM, Birmingham, Builder Birmingham Pet June 6 Ord June 12
NATHAN, ISAAC, Bethnal Green rd, Lampmaker High Court Pet April 29 Ord June 11
NICOLAIDES, LILY FRANCES, Queen's rd, St John's Wood Tobacconist High Court Pet Jan 20 Ord June 10
PEARSON, MARK ALPHÆUS, South Mimms, Builder Barnet Pet May 21 Ord June 10
RICHARDS, GEORGE, Gt Grimsby, Labourer Gt Grimsby Pet June 11 Ord June 11
RUMSEY, GEORGE HENRY, Folkestone, Kent, Baker Canterbury Pet June 10 Ord June 11
SENIOR, JOSEPH WILLIAM, Barnsley, Yorks, Chemist Barnsley Pet June 12 Ord June 12
SIMMONS, WALTER GILES, Winchester Winchester Pet June 11 Ord June 11
STACEY, HARRY, Treharris, Glam, Baker Merthyr Tydfil Pet June 12 Ord June 12

SWAN, FRANK LOVELL, Cardiff, Colliery Agent Cardiff Pet June 11 Ord June 11

TALBE, EDWARD, Rochdale, Coal Dealer Rochdale Pet June 12 Ord June 12

TAYLOR, THOMAS, Fitzroy sq, Dairyman High Court Pet May 19 Ord June 13

TAYLOR, WILLIAM, Liscard, Ches, Boat Builder Liverpool Pet May 14 Ord June 12

TOMLIN, WILLIAM HENRY, and HERMAN BOWMAN, Calverley, Yorks, Printers Bradford Pet June 6 Ord June 11

TOWNSEND, ERNEST, Claverdon, Warwick, Groom Warwick Pet June 8 Ord June 8

WALKER, JOSEPH, Moseley, Worcs, Gardener Birmingham Pet June 8 Ord June 12

WILCOX, GEORGE, Bournemouth, Builder Poole Pet April 21 Ord June 13

WILCOX, CATHERINE MARY, Ealing Brighton Pet May 8 Ord June 11

YOUNG, SUSAN MARY, Kent, Grocer Rochester Pet June 11 Ord June 11

SALES OF ENSUING WEEK.

June 22.—Messrs. MABLER & BENNETT, at the Mart, at 2, Freehold Ground Rents secured on properties at Belgravia (see advertisement, June 6, p. 4).

June 23.—Messrs. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER, at the Mart, at 2, Woodside Farm, near Twyford, Berks; Residence near Harrow-on-the-Hill; Town House, Shop and Dwelling House off Piccadilly; Freehold Residential Property known as Warfield-grove, Berks; Oldens Hall, Finchley; and also the Goldbeater's Estate at Hendon and Kingsbury, Middlesex (see advertisements, May 30, pp. 3 and 4).

June 23.—Messrs. E. & H. LUMLEY, at the Mart, at 2, The Donhead Hall Estate, near Shaftesbury, Wilts, on the borders of Dorset; Freehold Residence, known as "East Brock," and ten Freehold Cottages at Wokingham, Berks (see advertisements, May 30, p. 7).

June 24.—Messrs EDWIN FOX & BOUSFIELD, at the Mart, at 2, Ground Rent of £330 secured on "The Grapes" Restaurant, Jewin-street, E C. (see advertisement, May 30, p. 10)

June 25.—Messrs. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER, at the Mart, at 2, Freehold and Leasehold Properties comprising Ground Rents, Shops, Residences, Cottages, and Building Land at Ealing; and the Freehold Property known as "Woodlands," near Burgess Hill, Sussex (see advertisements, May 30, p 4).

All letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer.

Where difficulty is experienced in procuring the Journal with regularity, it is requested that application be made direct to the Publisher.